

To: Block, Molly[block.molly@epa.gov]
From: Bowman, Liz
Sent: Tue 4/17/2018 2:24:36 PM
Subject: RE: FOR APPROVAL: EPA News Highlights 4.17.18

These are fine, thanks

From: Block, Molly
Sent: Tuesday, April 17, 2018 10:00 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: RE: FOR APPROVAL: EPA News Highlights 4.17.18

In addition to the clips? The second and third story below are about the superfund list we released yesterday.

From: Bowman, Liz
Sent: Tuesday, April 17, 2018 9:59 AM
To: Block, Molly <block.molly@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: RE: FOR APPROVAL: EPA News Highlights 4.17.18

Thanks – did we have anything on the Superfund sites?

From: Block, Molly
Sent: Tuesday, April 17, 2018 8:43 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: FOR APPROVAL: EPA News Highlights 4.17.18

EPA News Highlights 4.17.18

Cincinnati Enquirer: EPA Head Scott Pruitt in Cincinnati

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday. He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati. "This is a model for cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Bloomberg Environment: Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress. The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Las Vegas Review Journal: Nevada's Anaconda Mine Removed from EPA Superfund List

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday. Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine. The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion. "We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement. Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

Bloomberg Environment: Smaller Bites in EPA Air Chief's Second Pass at Permitting Updated

William Wehrum has unfinished business with the EPA's air pollution permitting program for

factories and power plants that want to expand or make major upgrades to their facilities. “This time around,” Wehrum told Bloomberg Environment in an exclusive April 13 interview, “it’s important to strike a better balance.” Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

National News Highlights 4.17.18

Reuters: Fox’s Hannity Revealed as Mystery Client of Trump’s Personal Lawyer

U.S. President Donald Trump’s personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump’s most ardent defenders, was also on his client list. Michael Cohen, Trump’s fiercely loyal and pugnacious lawyer, disclosed Hannity’s name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Washington Free Beacon: Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan. Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

Politico: Comey on Trump Calling for Him to Be Jailed: ‘This Is Not Ok’

Former FBI Director James Comey denounced Donald Trump’s presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law. The former FBI director, whom Trump fired last spring, has been a frequent target of Trump’s criticism, especially in recent days amid the start of a publicity tour for Comey’s book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

TRUMP TWEETS

Cincinnati Enquirer

<https://www.cincinnati.com/story/news/2018/04/16/epa-head-scott-pruitt-cincinnati/521380002/>

EPA Head Scott Pruitt in Cincinnati

By Carrie Blackmore Smith, 4/16/18

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday.

He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati.

"This is a model cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Cincinnati, like many older cities, constructed its system with lead pipes at the start of the last century.

Water Works has made it a priority to replace all lead pipes with copper in order to reduce exposure to lead in drinking water. Lead can cause all sorts of health problems, including developmental delays, high blood pressure and heart disease.

"We appreciated the visit today from Administrator Pruitt. The visit gave us a chance to explain our enhanced lead program that includes education, outreach and removal of lead service lines," said water works Director Cathy Bailey. "Our program wasn't mandated by regulations, but implemented because it is the right thing to do for our community, and we believe it can serve as a model across the country."

New research found a correlation between lead and cardiovascular disease, too. It affects children at a higher rate than adults because their brains are still developing.

The response in Twitter was fierce, with some playing off his use of #gettheleadout.

Bloomberg Environment

<https://news.bloombergenvironment.com/environment-and-energy/pruitt-seeks-quicker->

Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

By Sylvia Carignan and Stephen Joyce, 4/16/18

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress.

The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Kelly expects that push to come in the form of an expedited cleanup plan decision or quicker negotiations for each of the sites.

Pruitt also removed two sites from the list of those needing immediate action.

The sites EPA added to the list are Delaware Sand and Gravel Landfill in New Castle, Del., Casmalia Resources in Casmalia, Calif., and St. Regis Paper Co. in Cass Lake, Minn.

Kelly said hard and fast criteria aren't necessarily used when adding sites to the administrator's list.

"The criteria has some subjectivity to it, because it has to be sites [where] regions believe attention from the administrator will help them get to whatever milestone," Kelly said.

Cass Lake, Minn.

Pruitt aims to finalize a residential soil cleanup plan for the St. Regis Paper Co. site.

Remediating the Minnesota site "has been a very long and difficult process," Sara Peterson, a lawyer representing Cass Lake, Minn., the city where the property is located, told Bloomberg Environment.

The site contains soils and groundwater possibly contaminated by dioxins, pentachlorophenol, and polycyclic aromatic hydrocarbons, according to an EPA fact sheet on the site.

From the 1950s to the 1980s, Champion Paper Co.—a predecessor company to the site's current owner, Memphis, Tenn.-based International Paper Co.—manufactured treated wood for railroad ties and telephone poles.

Thomas Ryan, a spokesperson for International Paper, told Bloomberg Environment the company is working with the EPA and other parties at the Superfund site.

The city is anxious for the site's environmental cleanup to be completed, Peterson said.

"They need the jobs that would come with the redevelopment of this site, and they've got some potential opportunities out there. But having a Superfund site there at this point makes it awfully hard to market the site," she said.

A March 2016 EPA-proposed plan recommended removing contaminated soil from affected residential areas and replacing it with clean soil, managing removed soil on site, disposing of a small amount of heavily contaminated soil at an off-site facility, and monitoring soil stored on site.

Casmalia, Calif.

The Casmalia Resources site in California was a commercial hazardous waste treatment, storage, and disposal facility spanning more than 250 acres.

The EPA finalized a \$590,722 settlement in November with 57 of the companies that contributed waste to the landfill. Those companies include Nestle, Leidos Inc., Hubbell Inc., and Hearst Corp.

None of those companies responded to Bloomberg Environment's emails or calls about the site's addition to Pruitt's list.

In addition, companies and government agencies involved with the Delaware site did not respond to Bloomberg Environment's requests for comment.

Setting Deadlines

The EPA also provided updates April 16 about each of the other sites on Pruitt's "immediate, intense action" list.

At the Mohawk Tannery site in Nashua, N.H., the agency wants to propose a cleanup plan this summer. The EPA is negotiating an agreement with a prospective purchaser who would redevelop the site.

For two New Jersey sites, American Cyanamid Inc. in Bound Brook and Berry's Creek in Wood Ridge borough, the agency wants to propose cleanup plans by the end of this spring.

The agency also wants to propose a cleanup plan for the Superfund site in East Chicago, Ind. this summer. The EPA is working on cleaning up lead-contaminated soil at parts of the site.

Delisted Sites

Pruitt already has made major cleanup decisions at the two sites removed from the list, the Anaconda Copper Mine in Yerington, Nev., and San Jacinto River Waste Pits outside Houston.

The EPA agreed in February to allow Nevada to oversee the cleanup of the Anaconda site, owned by Atlantic Richfield Co., after the state sought to assume control and work with private parties for a quicker resolution.

The former mine site had been under consideration to be added to the EPA National Priorities List so it could qualify for long-term cleanup and federal funding. The state last year asked the agency to defer the mine listing except for areas on tribal lands.

The San Jacinto River Waste Pits site contains paper mill waste material, including highly toxic dioxins, generated in the bleaching of wood pulp to make paper, the EPA said.

Pruitt announced a \$115 million plan in October for the pits that entails excavating more than 212,000 cubic yards of contaminated waste.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites to pay the cleanup bills.

Las Vegas Review Journal

<https://www.reviewjournal.com/news/politics-and-government/nevada/nevadas-anaconda-mine-removed-from-epa-superfund-list/>

Nevada's Anaconda Mine Removed From EPA Superfund List

By Gary martin, 4/16/18

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday.

Nevada Gov. Brian Sandoval and EPA Administrator Scott Pruitt signed a National Priorities List Deferral Agreement on Feb. 5 that puts the state in control of expedited cleanup and preparation for reuse of the property.

“Since Governor Sandoval took office and before, the state has worked to develop a long-term plan to clean up the site with a secure source of funding,” said Mary-Sarah Kinner, the governor’s spokeswoman.

Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada

mine.

The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion.

“We are making tremendous progress expediting sites through the entire Superfund remediation process,” Pruitt said in a statement.

Pruitt said the updated list “reflects our commitment to addressing Superfund sites as quickly and safely as possible.”

The EPA administrator visited the Nevada and Texas sites as part of his effort to make timely decisions for cleanup of the sites and ensure protection of health and the environment for the surrounding communities.

During the Obama administration, the EPA proposed adding the Anaconda Copper Mine, which opened in 1918, to the Superfund National Priorities List to make it eligible for federal remedial funds.

Last year Atlantic Richfield Co. approached Nevada and proposed to fund implementation of a sitewide remedy for the mine. The company bought the mine in 1978.

Sandoval asked EPA in July to defer placing the copper mine on the Superfund list. Sandoval, the Nevada Division of Environmental Protection, Native American tribes and other stakeholders worked with the EPA to keep the site off the national priorities list.

Pruitt granted the request after the EPA determined cleanup efforts meet federal requirements.

In February, Sandoval called the signing of the agreement with the EPA a “landmark day.” He said the state and Atlantic Richfield would work in partnership on the remaining cleanup, which is expected to take another decade.

The Trump administration has proposed cutting spending at the EPA, and funds for the Superfund program.

With cleanup under administration by the state, and Atlantic Richfield pledging to fund the process, state officials see the decision on a deferred listing as a move to secure funding for cleanup of leaching fields at the old mine where chemicals were used to strip copper from rock.

As a result of this public-private partnership, there was no need for the EPA administrator’s office to continue tracking the mine site, Kinner said. The site will remain proposed for the national priority list until cleanup is completed under Nevada Division of Environmental Protection oversight.

Cleanup actions under the Superfund program have historically been slow, expensive and

process-laden, according to the state agency.

The mine is located in Lyon County near the town of Yerington.

Bloomberg Environment

<https://news.bloombergenvironment.com/environment-and-energy/smaller-bites-in-epa-air-chiefs-second-pass-at-permitting-update>

Smaller Bites in EPA Air Chiefs Second Pass at Permitting Update

By Jennifer Lu, 4/16/18

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities.

In his first stint at the Environmental Protection Agency in an acting capacity, Wehrum tried to address industry criticism over the permitting program, known as new source review, with sweeping rulemaking bundles.

His efforts were either dropped after the George W. Bush administration withdrew his nomination to head the Office of Air and Radiation in 2007, blocked by the courts, or undone by the incoming Obama administration.

"This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance."

Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

The new source review program requires factories and power plants to install costly new air pollution controls when they expand or make modifications that increase their emissions.

Industries have long complained that securing compliance with the permitting program is tedious, time consuming, and confusing. Updating how the EPA administers the program through guidance documents is one way to quickly address those concerns.

"There are a lot of current issues within [new source review] that we can provide clear guidance through guidance," Wehrum said. "Our strategy is to tell people sooner rather than later how we think the program should be implemented."

Did You Get the Memo?

The focus on bite-sized updates to EPA programs comes after Wehrum watched a series of ambitious regulations he helped craft—from toxic air pollution rules from the power industry to attempts to set up an emissions trading program for power plants—get overturned by judges during his last go-round at the agency between 2005-2007.

Back then, Wehrum didn't have the option to quickly update policy through guidance. Only since a 2014 U.S. Supreme Court decision in Perez v. Mortgage Bankers Association have federal agencies like the EPA been allowed to issue guidance such as policy memos without having to go through a lengthy public comment process.

“We have an interest in trying to do some things quickly, and especially in case-specific circumstances where clarity is lacking,” Wehrum said.

However, policy made through guidance memos can be just as easily undone by a new administration, John Walke of the Natural Resources Defense Council, who previously served in the EPA General Counsel's Office, told Bloomberg Environment.

Environmental groups like Walke's and some states have already sued the EPA over one of its guidance documents, which eased toxic pollution emissions standards for industry.

“Industry relies upon Bill Wehrum's guidance at its peril,” Walke said.

Everything Old is New Source Review Again

But updating the permitting program has long been an industry priority. It was repeatedly spotlighted by businesses when the EPA put out a call for regulations that should be revised or eliminated.

After past regulatory efforts to make it industry-friendly fizzled, the fastest way to address business concerns is through guidance, Richard Alonso, environmental attorney at Sidley Austin LLP's Washington, D.C., office, told Bloomberg Environment.

Already, the EPA has issued two memos on two new source review changes. A December memo told agency staff not to “second-guess” how facilities calculate emissions changes.

That was followed by a March memo on project emissions accounting, also known as project netting, which tells facilities how to calculate whether emissions from their proposed new construction projects would increase pollution. Under the new guidance, facilities can include emissions decreases from their projects to the overall calculations to avoid triggering new source review.

The memo drew inspiration from a 2006 rule changing three aspects of emissions counting under new source review, which lost traction after Wehrum left the agency.

“Finalizing this [2006] rulemaking would help to remove a substantial burden to energy and

manufacturing projects,” Louis Renjel, vice president of federal government affairs and strategic policy at Duke Energy, wrote in response to an EPA call for suggestions on reducing regulatory burdens.

The American Chemistry Council also asked the EPA to revisit the reforms proposed during the Bush-era EPA, whether through guidance, regulation, or legislation.

The EPA this summer aims to address project aggregation, another piece of new source review reform from Wehrum’s 2006 rulemaking bundle.

It would define how emissions from separate modifications that take place around the same time should be counted, according to a presentation Anna Marie Wood, director of the EPA’s Air Quality Policy Division, gave at a state air regulators conference April 5.

More Guidance Coming

Three more guidance memos are slated to be issued this spring, according to Wood’s presentation.

One would redefine what counts as “ambient air,” or the air the general public breathes. This definition is important to new source review because facilities must show that their post-construction emissions won’t worsen air quality according to the national standards, Lynn Hutchinson, the EPA new source review project lead in 2002, told Bloomberg Environment.

Another guidance document in the works would change the pollutant modeling used to decide whether emissions would damage air quality. The White House completed its review of the memo April 12.

A third spring guidance document would allow the EPA to revive an attempt to expand the kinds of routine maintenance and repairs excluded from new source review. That 2003 rule was vacated by the U.S. Court of Appeals for the District of Columbia Circuit in New York v. EPA in 2006, which said industries could not write off physical changes that cost below a certain amount as routine maintenance.

“You already have a court on record saying those particular reforms are not allowed, so those might be a heavier lift without notice and comment rulemaking,” Alonso said.

When asked how he will ensure that his current batch of reforms stick beyond the current administration, Wehrum said, “a piece of it is making change that will last, but the bigger piece of it, for me, again, is just from a public policy standpoint.”

“If people can’t look at our rules and know what they need to do to comply, then we’ve got a problem,” he said.

Reuters

<https://www.reuters.com/article/us-usa-trump-russia-cohen/foxs-hannity-revealed-as-mystery-client-of-trumps-personal-lawyer-idUSKBN1HN12G>

Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

By Brendan Pierson, Karen Freifeld, Jonathan Stempel, 4/16/18

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list.

Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Daniels, in a separate civil case, is fighting a 2016 non-disclosure agreement arranged by Cohen in which she got \$130,000 to stop her from discussing her claim she had sex with Trump a decade earlier, something Trump has denied.

Hannity, 56, said on Monday that he had never paid for Cohen's services or been represented by him, but had sought confidential legal advice from him. The conservative host often uses his weeknight broadcast on Fox News to defend the president against what he sees as biased attacks by the media. Sometimes Trump praises Hannity in return.

Cohen was in court to ask the judge to limit the ability of federal prosecutors to review documents seized from his offices and home last week as part of a criminal investigation, which stems in part from a probe into possible collusion between Trump's presidential campaign and Russia. ([Full Story](#))

The Russia investigation has frustrated the White House as it has spread to enfold some of Trump's closest confidantes.

Judge Kimba Wood spent more than 2-1/2 hours listening to arguments by Cohen's lawyers, prosecutors from the U.S. attorney's office in Manhattan and a lawyer representing Trump in the hearing. She is expected to rule later.

She ordered prosecutors to give Cohen's lawyers a copy of the seized materials before the next hearing.

The unexpected naming of Hannity made him the latest prominent media personality to be drawn into the investigation's cast of unlikely supporting characters.

Daniels, whose real name is Stephanie Clifford, was another. As she arrived at the courthouse dressed in a lavender suit, photographers knocked over barricades as they scrambled to get pictures.

Daniels sat with her lawyer, Michael Avenatti, who told reporters they were there to help ensure protection for the integrity of the seized documents, some of which they believe pertain to the Daniels agreement.

Cohen, dressed in a dark suit, at times looked tense, folding and clasping his hands in front of him.

GASPS AND LAUGHTER

Cohen has argued that some of the documents and data seized from him under a warrant are protected by attorney-client privilege or otherwise unconnected to the investigation. But Judge Wood said she would still need the names of those other clients, and rejected his efforts to mask the identity of Hannity, a client Cohen had said wanted to avoid publicity.

“I understand if he doesn’t want his name out there, but that’s not enough under the law,” Wood said, before ordering the name disclosed.

Stephen Ryan, a lawyer for Cohen, drew gasps and laughter from the public gallery when he named Hannity as the client.

After his identity was revealed, Hannity said on his syndicated radio show, and again later on his Fox News program, that he had “occasional, brief discussions” with Cohen in which he sought out Cohen’s “input and perspective.”

Hannity said he assumed those discussions were covered by attorney-client privilege, and insisted that none involved any matter between himself and a third party. He also said his talks with Cohen “almost exclusively focused on real estate.”

Legal advice can be considered privileged even if given by a lawyer for free.

Hannity, the top-rated personality on the most watched U.S. cable news network, told his viewers on April 9 that the raid on Cohen was part an effort by federal investigators to wrongly impeach the president. He never mentioned his association with Cohen during that broadcast.

On Monday’s show, Hannity expressed amusement at the firestorm of media coverage unleashed by the disclosure that he and Trump shared a legal adviser in Cohen, playing a 45-second, rapid-fire montage of various TV commentators and anchors uttering his name on the air throughout the day.

Cohen has asked the court to give his own lawyers the first look at the seized materials so they can identify documents that are protected by attorney-client privilege. ([Full Story](#))

Failing that, they want the court to appoint an independent official known as a special master, a role typically filled by a lawyer, to go through the records and decide what prosecutors can see.

But prosecutors want the documents to be reviewed for attorney-client privilege by a “taint team” of lawyers within their own office, who would be walled off from the main prosecution team.

“I have faith in the Southern District U.S. Attorney’s Office that their integrity is unimpeachable,” making a taint team “a viable option,” Judge Wood said.

But she also said that to help ensure fairness and the perception of fairness, “a special master might have some role here.”

After the hearing, Cohen left without comment.

Daniels, in contrast, stepped up to the bank of microphones set up on the sidewalk, telling reporters that Cohen had thought he was above the law.

“My attorney and I are committed that everyone finds out the truth and the facts of what happened, and I will not rest until that happens,” she said.

Washington Free Beacon

<http://freebeacon.com/national-security/ex-cia-chief-says-obama-rejected-cyber-action-russia-election-meddling/>

Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

By Bill Gertz, 4/17/18

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan.

Brennan disclosed Saturday that Obama opposed a plan to carry out “a cyber event” against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

“There was consideration about rattling their cages with some type of cyber event,” Brennan said during remarks to a journalism conference at the University of California Berkeley.

But based on Obama’s fears, the planned cyber action was shelved in favor issuing vague

warnings to Russian officials. Brennan did not elaborate on the cyber retaliation plan.

"President Obama was the ultimate decision-maker on that," Brennan said of the lack of response.

The former CIA director defended the Obama administration's handling of what is widely viewed as a significant counterintelligence failure during the presidential election.

After the election, Obama ordered the expulsion of 35 Russian intelligence officers.

Both the FBI and CIA are charged with the conducting counterintelligence—detecting and thwarting hostile intelligence operations. Both agencies failed to halt the Russians in 2016 either in the United States or abroad.

U.S. officials have said the targeting of U.S. and foreign elections by Russia is continuing.

President Trump in February criticized his predecessor in a Tweet for failing to act. "Why didn't Obama do something about the meddling? Why aren't Dem crimes under investigation? Ask Jeff Sessions!" he tweeted.

The disclosure that Obama scrapped a cyber plan to retaliate against Moscow for election interference comes as a former senior counterintelligence official, Michelle Van Cleave, revealed in congressional testimony last week that the Obama administration weakened American counterintelligence programs by downgrading a top counterspy office.

Brennan said he had "great confidence" the Russian influence operation was authorized and directed by Russian President Vladimir Putin, a former KGB intelligence officer. The Russian intelligence services also "know what the mission is, know what their capabilities are, and will apply them to issues that are of interest to Russian national security," he said.

Brennan called the meddling "unprecedented in terms of its scope and intensity, and made full use of the digital domain."

The first indications of Russian interference were spotted in late 2015 and early 2016 and the operation was mentioned in press reports in the spring of 2016. By the summer of 2016 the operations were confirmed, he said.

Obama also made clear to the CIA that he did not want the agency doing anything "in reality or in perception" that would have advanced the Russian disinformation and propaganda campaign, Brennan said.

"We were really trying to strike the right balance between doing everything we could to prevent and thwart as well as to uncover and understand what the Russians were doing without doing anything that would almost advance their interests in trying to disrupt our election," he said.

Obama also was afraid any U.S. action against the Russians might be perceived as an outgoing

Democratic president working to influence the election outcome.

"So if we did more things and stood at the hilltops and cried out, 'the Russians, the Russians are trying to help Trump get elected,' and if President Obama who is the titular head of the Democratic Party were to do that, I think that there would have been a lot of people would believe, I think with some justification, that the President of the United States was trying to influence the outcome of a presidential election," Brennan said.

Brennan also said the Obama administration opposed aggressive action because of the president's belief that any effort to punish the Russian might produce stepped up activities.

Russian hackers had been detected navigating inside state election voter registration roll computers and other election-related networks.

"They had things that they could have done that they didn't do," Brennan said of the Russians.

Intelligence agencies concluded in a report issued in early 2017 that Russian civilian and military intelligence agencies conducted an aggressive operation to sow social discord during the 2016 election by opposing Hillary Clinton while seeking to boost Donald Trump's campaign.

The Russian operation included the use of advertising on social media platforms like Facebook, and cyber attacks involving the cyber theft of emails and postings online using covert internet personas.

In February, 13 Russians were indicted by Special Counsel Robert Mueller for running a St. Petersburg, Russia-based internet troll farm that carried out influence operations during the elections.

So far, no action has been taken against the Russian hackers engaged in email thefts.

Kenneth deGraffenreid, former deputy national counterintelligence executive, said Obama's inaction was a major counterintelligence failure.

"If Brennan's claims are true, the Obama administration's inaction in the face of this Russian cyber aggression represents a serious counterintelligence failure that has had terrible consequences," deGraffenreid said.

"Good counterintelligence requires an active element beyond collecting and analyzing the secret information that has been uncovered—namely countering this serious foreign intelligence threat in an effective way. The U.S. has the sophisticated tools to do this."

"There simply is no excuse for not doing so," he added. "Our national security depends on American leaders taking the action required."

Despite signs the operation had been underway since 2015, Brennan said he was the first U.S. official to protest the matter during an Aug. 4, 2016, telephone to Alexander Bortnikov, head of

Russia's FSB security service.

"I told him rather directly that if the Russians were to go down this road, they would pay a significant price," Brennan said. "I told him that all Americans would be outraged by a Russian effort to try and interfere in our election."

A month later at the G-20 summit in China, Obama confronted Putin about the election interference, according to Brennan.

Weeks later, Director of National Intelligence James Clapper and Homeland Security Secretary Jeh Johnson issued an official statement accusing the Russian government of interfering with the election campaign.

Brennan said he believes the softline Obama policy dissuaded Moscow from intensifying the campaign and that he had no regrets.

Additionally, the former CIA chief said he has spoken to Obama who he asserted is "very comfortable with what we did and didn't do."

"I would argue that I think by pushing them back a bit and confronting them with it, both privately as well as publicly, I think we did dissuade them from even going further," he said.

Brennan also said the CIA was told by Obama not to take any action on the Russian intelligence operation over concerns any action would appear the administration was trying to support the Democratic candidate, Hillary Clinton.

Since leaving office, Brennan has been a Trump critic, taking to Twitter to call the president a "charlatan," "demagogue," and "snake oil salesman."

Brennan said that criticism has cost him financially as "a number of opportunities were rescinded."

Russian cyber intelligence operations are sophisticated and difficult to track, he said.

"And so I fully anticipate that the Russians and others are going to take advantages that are there," Brennan said. "They are going to try to hide their footprints better. They're going to try to prevent the U.S. from understanding what may be happening there. But let's not make a mistake, that environment is ripe for mal actors and they are going to continue to cause us problems."

On the controversial dossier produced by former British intelligence officer Christopher Steele, Brennan said the dossier may have been part of a Russian cover operation.

"Well certainly it could be," he said. "I don't know the provenance of the information. As I said I've seen the dossier. It is done by a former accomplished member of the British intelligence service, MI-6. It is sourced to unnamed sources and subsources that alleged these types of activities. So I don't know whether the information in it—some, all or none—is valid or not."

Brennan said he does not believe Steele was manipulated by the Russians for intelligence purposes.

"I do not believe he is acting on behalf of them," he said. "Might he have been unwittingly used? Maybe. So I don't know."

The Steele dossier was funded by the Democratic National Committee and the Clinton campaign through the research group Fusion GPS.

The Washington Free Beacon hired Fusion GPS to conduct research on Republican candidates but had no role in the dossier.

On his political views, Brennan said he is not a member of any political party and described himself as "an avowed nonpartisan."

In 2016, Brennan disclosed that in 1976 he voted for the Moscow-backed Communist Party USA candidate for president, Gus Hall, during the height of the Cold War.

Politico

<https://www.politico.com/story/2018/04/17/james-comey-trump-jailing-527942>

Comey on Trump Calling for Him to Be Jailed: 'This Is Not OK'

By Louis Nelson, 4/17/18

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law.

The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

"President Trump, I don't follow him on Twitter but I get to see his tweets tweeted, I don't know how many, but some tweets this past couple of days that I should be in jail. The president of the United States just said that a private citizen should be jailed. And I think the reaction of most of us was, 'meh, that's another one of those things.' This is not normal. This is not OK," Comey told NPR in an interview broadcast Tuesday morning. "The reason I'm talking in terms of

morality is, those are the things that matter most to this country. And there's a great danger we'll be numbed into forgetting that, and then only a fool would be consoled by some policy victory.”

While Comey’s criticism of the president, both in interviews and in his book, has been withering, so too has the White House’s response. Trump administration officials have painted Comey as a disgruntled ex-employee looking to settle scores and an admitted leaker whose Congressional testimony had to be corrected almost immediately. Trump’s press secretary Sarah Huckabee Sanders said last week that “one of the president's greatest achievements will go down as firing director James Comey” and Trump himself wrote on Twitter over the weekend that Comey “will go down as the WORST FBI Director in history, by far!”

“This is not some tin pot dictatorship where the leader of the country gets to say ‘the people I don't like go to jail.’ Our Lady Justice wears a blindfold. And the reason all those statues all over the country have a blindfold is, that's the way it has to be,” Comey told NPR. “Lady Justice can't be peeking under the blindfold to see if Donald Trump wants her to convict so-and-so and not convict so-and-so. If we lose that, we've lost the rule of law, and so there's great danger in the president of the United States saying ‘you should be in jail.’”

Asked about the potential that he might one day run for office, Comey was emphatic that he had no such plans. Instead, he said he plans to teach at the university level and give speeches on ethics and leadership.

"Never. I will never run for office. Not even a close call," he said. "I'm going to teach about leadership and ethics, and so I'm going to be a professor, which is exciting, and speak about leadership... I'm going to use my book in the class and I'm going to buy it for the students, because I'm not going to be one of those professors."

TRUMP TWEETS



Donald J. Trump ● @realDonaldTrump · 5m

So many people are seeing the benefits of the Tax Cut Bill. Everyone is talking, really nice to see!

1.1K 968 4.3K



Donald J. Trump ● @realDonaldTrump · 5m

Looks like Jerry Brown and California are not looking for safety and security along their very porous Border. He cannot come to terms for the National Guard to patrol and protect the Border. The high crime rate will only get higher. Much wanted Wall in San Diego already started!

597 1.0K 3.8K



Donald J. Trump ● @realDonaldTrump · 5m

I am in Florida and looking forward to my meeting with Prime Minister Abe of Japan. Working on Trade and Military Security.

498 959 3.8K



Donald J. Trump ● @realDonaldTrump · 5m

Employment is up, Taxes are DOWN. Enjoy!

625 1.2K 4.6K

To: Block, Molly[block.molly@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Konkus, John[konkus.john@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Bowman, Liz
Sent: Tue 4/17/2018 1:59:10 PM
Subject: RE: FOR APPROVAL: EPA News Highlights 4.17.18

Thanks – did we have anything on the Superfund sites?

From: Block, Molly
Sent: Tuesday, April 17, 2018 8:43 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: FOR APPROVAL: EPA News Highlights 4.17.18

EPA News Highlights 4.17.18

Cincinnati Enquirer: EPA Head Scott Pruitt in Cincinnati

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday. He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati. "This is a model for cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Bloomberg Environment: Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress. The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Las Vegas Review Journal: Nevada's Anaconda Mine Removed from EPA Superfund List

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday. Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine. The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion. "We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement. Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

Bloomberg Environment: Smaller Bites in EPA Air Chief's Second Pass at Permitting Updated

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities. "This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance." Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

National News Highlights 4.17.18

Reuters: Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list. Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Washington Free Beacon: Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action

against Moscow during the campaign, according to former CIA Director John Brennan. Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

Politico: Comey on Trump Calling for Him to Be Jailed: 'This Is Not Ok'

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law. The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

TRUMP TWEETS

Cincinnati Enquirer

<https://www.cincinnati.com/story/news/2018/04/16/epa-head-scott-pruitt-cincinnati/521380002/>

EPA Head Scott Pruitt in Cincinnati

By Carrie Blackmore Smith, 4/16/18

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday.

He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati.

"This is a model cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Cincinnati, like many older cities, constructed its system with lead pipes at the start of the last century.

Water Works has made it a priority to replace all lead pipes with copper in order to reduce

exposure to lead in drinking water. Lead can cause all sorts of health problems, including developmental delays, high blood pressure and heart disease.

“We appreciated the visit today from Administrator Pruitt. The visit gave us a chance to explain our enhanced lead program that includes education, outreach and removal of lead service lines,” said water works Director Cathy Bailey. “Our program wasn’t mandated by regulations, but implemented because it is the right thing to do for our community, and we believe it can serve as a model across the country.”

New research found a correlation between lead and cardiovascular disease, too. It affects children at a higher rate than adults because their brains are still developing.

The response in Twitter was fierce, with some playing off his use of #gettheleadout.

Bloomberg Environment

<https://news.bloombergenvironment.com/environment-and-energy/pruitt-seeks-quicker-superfund-cleanups-at-three-targeted-sites-1>

Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

By Sylvia Carignan and Stephen Joyce, 4/16/18

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress.

The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency’s regional staff said they needed a push from the administrator, Albert “Kell” Kelly, Pruitt’s senior adviser on Superfund issues, told Bloomberg Environment.

Kelly expects that push to come in the form of an expedited cleanup plan decision or quicker negotiations for each of the sites.

Pruitt also removed two sites from the list of those needing immediate action.

The sites EPA added to the list are Delaware Sand and Gravel Landfill in New Castle, Del., Casmalia Resources in Casmalia, Calif., and St. Regis Paper Co. in Cass Lake, Minn.

Kelly said hard and fast criteria aren’t necessarily used when adding sites to the administrator’s list.

“The criteria has some subjectivity to it, because it has to be sites [where] regions believe

attention from the administrator will help them get to whatever milestone,” Kelly said.

Cass Lake, Minn.

Pruitt aims to finalize a residential soil cleanup plan for the St. Regis Paper Co. site.

Remediating the Minnesota site “has been a very long and difficult process,” Sara Peterson, a lawyer representing Cass Lake, Minn., the city where the property is located, told Bloomberg Environment.

The site contains soils and groundwater possibly contaminated by dioxins, pentachlorophenol, and polycyclic aromatic hydrocarbons, according to an EPA fact sheet on the site.

From the 1950s to the 1980s, Champion Paper Co.—a predecessor company to the site’s current owner, Memphis, Tenn.-based International Paper Co.—manufactured treated wood for railroad ties and telephone poles.

Thomas Ryan, a spokesperson for International Paper, told Bloomberg Environment the company is working with the EPA and other parties at the Superfund site.

The city is anxious for the site’s environmental cleanup to be completed, Peterson said.

“They need the jobs that would come with the redevelopment of this site, and they’ve got some potential opportunities out there. But having a Superfund site there at this point makes it awfully hard to market the site,” she said.

A March 2016 EPA-proposed plan recommended removing contaminated soil from affected residential areas and replacing it with clean soil, managing removed soil on site, disposing of a small amount of heavily contaminated soil at an off-site facility, and monitoring soil stored on site.

Casmalia, Calif.

The Casmalia Resources site in California was a commercial hazardous waste treatment, storage, and disposal facility spanning more than 250 acres.

The EPA finalized a \$590,722 settlement in November with 57 of the companies that contributed waste to the landfill. Those companies include Nestle, Leidos Inc., Hubbell Inc., and Hearst Corp.

None of those companies responded to Bloomberg Environment’s emails or calls about the site’s addition to Pruitt’s list.

In addition, companies and government agencies involved with the Delaware site did not respond to Bloomberg Environment’s requests for comment.

Setting Deadlines

The EPA also provided updates April 16 about each of the other sites on Pruitt's "immediate, intense action" list.

At the Mohawk Tannery site in Nashua, N.H., the agency wants to propose a cleanup plan this summer. The EPA is negotiating an agreement with a prospective purchaser who would redevelop the site.

For two New Jersey sites, American Cyanamid Inc. in Bound Brook and Berry's Creek in Wood Ridge borough, the agency wants to propose cleanup plans by the end of this spring.

The agency also wants to propose a cleanup plan for the Superfund site in East Chicago, Ind. this summer. The EPA is working on cleaning up lead-contaminated soil at parts of the site.

Delisted Sites

Pruitt already has made major cleanup decisions at the two sites removed from the list, the Anaconda Copper Mine in Yerington, Nev., and San Jacinto River Waste Pits outside Houston.

The EPA agreed in February to allow Nevada to oversee the cleanup of the Anaconda site, owned by Atlantic Richfield Co., after the state sought to assume control and work with private parties for a quicker resolution.

The former mine site had been under consideration to be added to the EPA National Priorities List so it could qualify for long-term cleanup and federal funding. The state last year asked the agency to defer the mine listing except for areas on tribal lands.

The San Jacinto River Waste Pits site contains paper mill waste material, including highly toxic dioxins, generated in the bleaching of wood pulp to make paper, the EPA said.

Pruitt announced a \$115 million plan in October for the pits that entails excavating more than 212,000 cubic yards of contaminated waste.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites to pay the cleanup bills.

Las Vegas Review Journal

<https://www.reviewjournal.com/news/politics-and-government/nevada/nevadas-anaconda-mine-removed-from-epa-superfund-list/>

Nevada's Anaconda Mine Removed From EPA Superfund List

By Gary martin, 4/16/18

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday.

Nevada Gov. Brian Sandoval and EPA Administrator Scott Pruitt signed a National Priorities List Deferral Agreement on Feb. 5 that puts the state in control of expedited cleanup and preparation for reuse of the property.

“Since Governor Sandoval took office and before, the state has worked to develop a long-term plan to clean up the site with a secure source of funding,” said Mary-Sarah Kinner, the governor’s spokeswoman.

Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine.

The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion.

“We are making tremendous progress expediting sites through the entire Superfund remediation process,” Pruitt said in a statement.

Pruitt said the updated list “reflects our commitment to addressing Superfund sites as quickly and safely as possible.”

The EPA administrator visited the Nevada and Texas sites as part of his effort to make timely decisions for cleanup of the sites and ensure protection of health and the environment for the surrounding communities.

During the Obama administration, the EPA proposed adding the Anaconda Copper Mine, which opened in 1918, to the Superfund National Priorities List to make it eligible for federal remedial funds.

Last year Atlantic Richfield Co. approached Nevada and proposed to fund implementation of a sitewide remedy for the mine. The company bought the mine in 1978.

Sandoval asked EPA in July to defer placing the copper mine on the Superfund list. Sandoval, the Nevada Division of Environmental Protection, Native American tribes and other stakeholders worked with the EPA to keep the site off the national priorities list.

Pruitt granted the request after the EPA determined cleanup efforts meet federal requirements.

In February, Sandoval called the signing of the agreement with the EPA a “landmark day.” He said the state and Atlantic Richfield would work in partnership on the remaining cleanup, which is expected to take another decade.

The Trump administration has proposed cutting spending at the EPA, and funds for the Superfund program.

With cleanup under administration by the state, and Atlantic Richfield pledging to fund the process, state officials see the decision on a deferred listing as a move to secure funding for cleanup of leaching fields at the old mine where chemicals were used to strip copper from rock.

As a result of this public-private partnership, there was no need for the EPA administrator’s office to continue tracking the mine site, Kinner said. The site will remain proposed for the national priority list until cleanup is completed under Nevada Division of Environmental Protection oversight.

Cleanup actions under the Superfund program have historically been slow, expensive and process-laden, according to the state agency.

The mine is located in Lyon County near the town of Yerington.

Bloomberg Environment

<https://news.bloombergenvironment.com/environment-and-energy/smaller-bites-in-epa-air-chiefs-second-pass-at-permitting-update>

Smaller Bites in EPA Air Chiefs Second Pass at Permitting Update

By Jennifer Lu, 4/16/18

William Wehrum has unfinished business with the EPA’s air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities.

In his first stint at the Environmental Protection Agency in an acting capacity, Wehrum tried to address industry criticism over the permitting program, known as new source review, with sweeping rulemaking bundles.

His efforts were either dropped after the George W. Bush administration withdrew his nomination to head the Office of Air and Radiation in 2007, blocked by the courts, or undone by the incoming Obama administration.

“This time around,” Wehrum told Bloomberg Environment in an exclusive April 13 interview, “it’s important to strike a better balance.”

Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

The new source review program requires factories and power plants to install costly new air pollution controls when they expand or make modifications that increase their emissions.

Industries have long complained that securing compliance with the permitting program is tedious, time consuming, and confusing. Updating how the EPA administers the program through guidance documents is one way to quickly address those concerns.

“There are a lot of current issues within [new source review] that we can provide clear guidance through guidance,” Wehrum said. “Our strategy is to tell people sooner rather than later how we think the program should be implemented.”

Did You Get the Memo?

The focus on bite-sized updates to EPA programs comes after Wehrum watched a series of ambitious regulations he helped craft—from toxic air pollution rules from the power industry to attempts to set up an emissions trading program for power plants—get overturned by judges during his last go-round at the agency between 2005-2007.

Back then, Wehrum didn’t have the option to quickly update policy through guidance. Only since a 2014 U.S. Supreme Court decision in Perez v. Mortgage Bankers Association have federal agencies like the EPA been allowed to issue guidance such as policy memos without having to go through a lengthy public comment process.

“We have an interest in trying to do some things quickly, and especially in case-specific circumstances where clarity is lacking,” Wehrum said.

However, policy made through guidance memos can be just as easily undone by a new administration, John Walke of the Natural Resources Defense Council, who previously served in the EPA General Counsel’s Office, told Bloomberg Environment.

Environmental groups like Walke’s and some states have already sued the EPA over one of its guidance documents, which eased toxic pollution emissions standards for industry.

“Industry relies upon Bill Wehrum’s guidance at its peril,” Walke said.

Everything Old is New Source Review Again

But updating the permitting program has long been an industry priority. It was repeatedly spotlighted by businesses when the EPA put out a call for regulations that should be revised or

eliminated.

After past regulatory efforts to make it industry-friendly fizzled, the fastest way to address business concerns is through guidance, Richard Alonso, environmental attorney at Sidley Austin LLP's Washington, D.C., office, told Bloomberg Environment.

Already, the EPA has issued two memos on two new source review changes. A December memo told agency staff not to “second-guess” how facilities calculate emissions changes.

That was followed by a March memo on project emissions accounting, also known as project netting, which tells facilities how to calculate whether emissions from their proposed new construction projects would increase pollution. Under the new guidance, facilities can include emissions decreases from their projects to the overall calculations to avoid triggering new source review.

The memo drew inspiration from a 2006 rule changing three aspects of emissions counting under new source review, which lost traction after Wehrum left the agency.

“Finalizing this [2006] rulemaking would help to remove a substantial burden to energy and manufacturing projects,” Louis Renjel, vice president of federal government affairs and strategic policy at Duke Energy, wrote in response to an EPA call for suggestions on reducing regulatory burdens.

The American Chemistry Council also asked the EPA to revisit the reforms proposed during the Bush-era EPA, whether through guidance, regulation, or legislation.

The EPA this summer aims to address project aggregation, another piece of new source review reform from Wehrum's 2006 rulemaking bundle.

It would define how emissions from separate modifications that take place around the same time should be counted, according to a presentation Anna Marie Wood, director of the EPA's Air Quality Policy Division, gave at a state air regulators conference April 5.

More Guidance Coming

Three more guidance memos are slated to be issued this spring, according to Wood's presentation.

One would redefine what counts as “ambient air,” or the air the general public breathes. This definition is important to new source review because facilities must show that their post-construction emissions won't worsen air quality according to the national standards, Lynn Hutchinson, the EPA new source review project lead in 2002, told Bloomberg Environment.

Another guidance document in the works would change the pollutant modeling used to decide whether emissions would damage air quality. The White House completed its review of the memo April 12.

A third spring guidance document would allow the EPA to revive an attempt to expand the kinds of routine maintenance and repairs excluded from new source review. That 2003 rule was vacated by the U.S. Court of Appeals for the District of Columbia Circuit in New York v. EPA in 2006, which said industries could not write off physical changes that cost below a certain amount as routine maintenance.

“You already have a court on record saying those particular reforms are not allowed, so those might be a heavier lift without notice and comment rulemaking,” Alonso said.

When asked how he will ensure that his current batch of reforms stick beyond the current administration, Wehrum said, “a piece of it is making change that will last, but the bigger piece of it, for me, again, is just from a public policy standpoint.”

“If people can’t look at our rules and know what they need to do to comply, then we’ve got a problem,” he said.

Reuters

<https://www.reuters.com/article/us-usa-trump-russia-cohen/foxs-hannity-revealed-as-mystery-client-of-trumps-personal-lawyer-idUSKBN1HN12G>

Fox’s Hannity Revealed as Mystery Client of Trump’s Personal Lawyer

By Brendan Pierson, Karen Freifeld, Jonathan Stempel, 4/16/18

U.S. President Donald Trump’s personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump’s most ardent defenders, was also on his client list.

Michael Cohen, Trump’s fiercely loyal and pugnacious lawyer, disclosed Hannity’s name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Daniels, in a separate civil case, is fighting a 2016 non-disclosure agreement arranged by Cohen in which she got \$130,000 to stop her from discussing her claim she had sex with Trump a decade earlier, something Trump has denied.

Hannity, 56, said on Monday that he had never paid for Cohen’s services or been represented by him, but had sought confidential legal advice from him. The conservative host often uses his weeknight broadcast on Fox News to defend the president against what he sees as biased attacks by the media. Sometimes Trump praises Hannity in return.

Cohen was in court to ask the judge to limit the ability of federal prosecutors to review documents seized from his offices and home last week as part of a criminal investigation, which stems in part from a probe into possible collusion between Trump's presidential campaign and Russia. ([Full Story](#))

The Russia investigation has frustrated the White House as it has spread to enfold some of Trump's closest confidantes.

Judge Kimba Wood spent more than 2-1/2 hours listening to arguments by Cohen's lawyers, prosecutors from the U.S. attorney's office in Manhattan and a lawyer representing Trump in the hearing. She is expected to rule later.

She ordered prosecutors to give Cohen's lawyers a copy of the seized materials before the next hearing.

The unexpected naming of Hannity made him the latest prominent media personality to be drawn into the investigation's cast of unlikely supporting characters.

Daniels, whose real name is Stephanie Clifford, was another. As she arrived at the courthouse dressed in a lavender suit, photographers knocked over barricades as they scrambled to get pictures.

Daniels sat with her lawyer, Michael Avenatti, who told reporters they were there to help ensure protection for the integrity of the seized documents, some of which they believe pertain to the Daniels agreement.

Cohen, dressed in a dark suit, at times looked tense, folding and clasping his hands in front of him.

GASPS AND LAUGHTER

Cohen has argued that some of the documents and data seized from him under a warrant are protected by attorney-client privilege or otherwise unconnected to the investigation. But Judge Wood said she would still need the names of those other clients, and rejected his efforts to mask the identity of Hannity, a client Cohen had said wanted to avoid publicity.

"I understand if he doesn't want his name out there, but that's not enough under the law," Wood said, before ordering the name disclosed.

Stephen Ryan, a lawyer for Cohen, drew gasps and laughter from the public gallery when he named Hannity as the client.

After his identity was revealed, Hannity said on his syndicated radio show, and again later on his Fox News program, that he had "occasional, brief discussions" with Cohen in which he sought out Cohen's "input and perspective."

Hannity said he assumed those discussions were covered by attorney-client privilege, and insisted that none involved any matter between himself and a third party. He also said his talks with Cohen “almost exclusively focused on real estate.”

Legal advice can be considered privileged even if given by a lawyer for free.

Hannity, the top-rated personality on the most watched U.S. cable news network, told his viewers on April 9 that the raid on Cohen was part an effort by federal investigators to wrongly impeach the president. He never mentioned his association with Cohen during that broadcast.

On Monday’s show, Hannity expressed amusement at the firestorm of media coverage unleashed by the disclosure that he and Trump shared a legal adviser in Cohen, playing a 45-second, rapid-fire montage of various TV commentators and anchors uttering his name on the air throughout the day.

Cohen has asked the court to give his own lawyers the first look at the seized materials so they can identify documents that are protected by attorney-client privilege. ([Full Story](#))

Failing that, they want the court to appoint an independent official known as a special master, a role typically filled by a lawyer, to go through the records and decide what prosecutors can see.

But prosecutors want the documents to be reviewed for attorney-client privilege by a “taint team” of lawyers within their own office, who would be walled off from the main prosecution team.

“I have faith in the Southern District U.S. Attorney’s Office that their integrity is unimpeachable,” making a taint team “a viable option,” Judge Wood said.

But she also said that to help ensure fairness and the perception of fairness, “a special master might have some role here.”

After the hearing, Cohen left without comment.

Daniels, in contrast, stepped up to the bank of microphones set up on the sidewalk, telling reporters that Cohen had thought he was above the law.

“My attorney and I are committed that everyone finds out the truth and the facts of what happened, and I will not rest until that happens,” she said.

Washington Free Beacon

<http://freebeacon.com/national-security/ex-cia-chief-says-obama-rejected-cyber-action-russia-election-meddling/>

Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

By Bill Gertz, 4/17/18

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan.

Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

"There was consideration about rattling their cages with some type of cyber event," Brennan said during remarks to a journalism conference at the University of California Berkeley.

But based on Obama's fears, the planned cyber action was shelved in favor issuing vague warnings to Russian officials. Brennan did not elaborate on the cyber retaliation plan.

"President Obama was the ultimate decision-maker on that," Brennan said of the lack of response.

The former CIA director defended the Obama administration's handling of what is widely viewed as a significant counterintelligence failure during the presidential election.

After the election, Obama ordered the expulsion of 35 Russian intelligence officers.

Both the FBI and CIA are charged with the conducting counterintelligence—detecting and thwarting hostile intelligence operations. Both agencies failed to halt the Russians in 2016 either in the United States or abroad.

U.S. officials have said the targeting of U.S. and foreign elections by Russia is continuing.

President Trump in February criticized his predecessor in a Tweet for failing to act. "Why didn't Obama do something about the meddling? Why aren't Dem crimes under investigation? Ask Jeff Sessions!" he tweeted.

The disclosure that Obama scrapped a cyber plan to retaliate against Moscow for election interference comes as a former senior counterintelligence official, Michelle Van Cleave, [revealed in congressional testimony](#) last week that the Obama administration weakened American counterintelligence programs by downgrading a top counterspy office.

Brennan said he had "great confidence" the Russian influence operation was authorized and directed by Russian President Vladimir Putin, a former KGB intelligence officer. The Russian

intelligence services also "know what the mission is, know what their capabilities are, and will apply them to issues that are of interest to Russian national security," he said.

Brennan called the meddling "unprecedented in terms of its scope and intensity, and made full use of the digital domain."

The first indications of Russian interference were spotted in late 2015 and early 2016 and the operation was mentioned in press reports in the spring of 2016. By the summer of 2016 the operations were confirmed, he said.

Obama also made clear to the CIA that he did not want the agency doing anything "in reality or in perception" that would have advanced the Russian disinformation and propaganda campaign, Brennan said.

"We were really trying to strike the right balance between doing everything we could to prevent and thwart as well as to uncover and understand what the Russians were doing without doing anything that would almost advance their interests in trying to disrupt our election," he said.

Obama also was afraid any U.S. action against the Russians might be perceived as an outgoing Democratic president working to influence the election outcome.

"So if we did more things and stood at the hilltops and cried out, 'the Russians, the Russians are trying to help Trump get elected,' and if President Obama who is the titular head of the Democratic Party were to do that, I think that there would have been a lot of people would believe, I think with some justification, that the President of the United States was trying to influence the outcome of a presidential election," Brennan said.

Brennan also said the Obama administration opposed aggressive action because of the president's belief that any effort to punish the Russian might produce stepped up activities.

Russian hackers had been detected navigating inside state election voter registration roll computers and other election-related networks.

"They had things that they could have done that they didn't do," Brennan said of the Russians.

Intelligence agencies concluded in a report issued in early 2017 that Russian civilian and military intelligence agencies conducted an aggressive operation to sow social discord during the 2016 election by opposing Hillary Clinton while seeking to boost Donald Trump's campaign.

The Russian operation included the use of advertising on social media platforms like Facebook, and cyber attacks involving the cyber theft of emails and postings online using covert internet personas.

In February, 13 Russians were indicted by Special Counsel Robert Mueller for running a St. Petersburg, Russia-based internet troll farm that carried out influence operations during the elections.

So far, no action has been taken against the Russian hackers engaged in email thefts.

Kenneth deGraffenreid, former deputy national counterintelligence executive, said Obama's inaction was a major counterintelligence failure.

"If Brennan's claims are true, the Obama administration's inaction in the face of this Russian cyber aggression represents a serious counterintelligence failure that has had terrible consequences," deGraffenreid said.

"Good counterintelligence requires an active element beyond collecting and analyzing the secret information that has been uncovered—namely countering this serious foreign intelligence threat in an effective way. The U.S. has the sophisticated tools to do this."

"There simply is no excuse for not doing so," he added. "Our national security depends on American leaders taking the action required."

Despite signs the operation had been underway since 2015, Brennan said he was the first U.S. official to protest the matter during an Aug. 4, 2016, telephone to Alexander Bortnikov, head of Russia's FSB security service.

"I told him rather directly that if the Russians were to go down this road, they would pay a significant price," Brennan said. "I told him that all Americans would be outraged by a Russian effort to try and interfere in our election."

A month later at the G-20 summit in China, Obama confronted Putin about the election interference, according to Brennan.

Weeks later, Director of National Intelligence James Clapper and Homeland Security Secretary Jeh Johnson issued an official statement accusing the Russian government of interfering with the election campaign.

Brennan said he believes the softline Obama policy dissuaded Moscow from intensifying the campaign and that he had no regrets.

Additionally, the former CIA chief said he has spoken to Obama who he asserted is "very comfortable with what we did and didn't do."

"I would argue that I think by pushing them back a bit and confronting them with it, both privately as well as publicly, I think we did dissuade them from even going further," he said.

Brennan also said the CIA was told by Obama not to take any action on the Russian intelligence operation over concerns any action would appear the administration was trying to support the Democratic candidate, Hillary Clinton.

Since leaving office, Brennan has been a Trump critic, taking to Twitter to call the president a

"charlatan," "demagogue," and "snake oil salesman."

Brennan said that criticism has cost him financially as "a number of opportunities were rescinded."

Russian cyber intelligence operations are sophisticated and difficult to track, he said.

"And so I fully anticipate that the Russians and others are going to take advantages that are there," Brennan said. "They are going to try to hide their footprints better. They're going to try to prevent the U.S. from understanding what may be happening there. But let's not make a mistake, that environment is ripe for mal actors and they are going to continue to cause us problems."

On the controversial dossier produced by former British intelligence officer Christopher Steele, Brennan said the dossier may have been part of a Russian cover operation.

"Well certainly it could be," he said. "I don't know the provenance of the information. As I said I've seen the dossier. It is done by a former accomplished member of the British intelligence service, MI-6. It is sourced to unnamed sources and subsources that alleged these types of activities. So I don't know whether the information in it—some, all or none—is valid or not."

Brennan said he does not believe Steele was manipulated by the Russians for intelligence purposes.

"I do not believe he is acting on behalf of them," he said. "Might he have been unwittingly used? Maybe. So I don't know."

The Steele dossier was funded by the Democratic National Committee and the Clinton campaign through the research group Fusion GPS.

The Washington Free Beacon hired Fusion GPS to conduct research on Republican candidates but had no role in the dossier.

On his political views, Brennan said he is not a member of any political party and described himself as "an avowed nonpartisan."

In 2016, Brennan disclosed that in 1976 he voted for the Moscow-backed Communist Party USA candidate for president, Gus Hall, during the height of the Cold War.

Politico

<https://www.politico.com/story/2018/04/17/james-comey-trump-jailing-527942>

Comey on Trump Calling for Him to Be Jailed: 'This Is Not OK'

By Louis Nelson, 4/17/18

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law.

The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

"President Trump, I don't follow him on Twitter but I get to see his tweets tweeted, I don't know how many, but some tweets this past couple of days that I should be in jail. The president of the United States just said that a private citizen should be jailed. And I think the reaction of most of us was, 'meh, that's another one of those things.' This is not normal. This is not OK," Comey told NPR in an [interview](#) broadcast Tuesday morning. "The reason I'm talking in terms of morality is, those are the things that matter most to this country. And there's a great danger we'll be numbed into forgetting that, and then only a fool would be consoled by some policy victory."

While Comey's criticism of the president, both in interviews and in his book, has been withering, so too has the White House's response. Trump administration officials have painted Comey as a disgruntled ex-employee looking to settle scores and an admitted leaker whose Congressional testimony had to be corrected almost immediately. Trump's press secretary Sarah Huckabee Sanders said last week that "one of the president's greatest achievements will go down as firing director James Comey" and Trump himself wrote on Twitter over the weekend that Comey "will go down as the WORST FBI Director in history, by far!"

"This is not some tin pot dictatorship where the leader of the country gets to say 'the people I don't like go to jail.' Our Lady Justice wears a blindfold. And the reason all those statues all over the country have a blindfold is, that's the way it has to be," Comey told NPR. "Lady Justice can't be peeking under the blindfold to see if Donald Trump wants her to convict so-and-so and not convict so-and-so. If we lose that, we've lost the rule of law, and so there's great danger in the president of the United States saying 'you should be in jail.'"

Asked about the potential that he might one day run for office, Comey was emphatic that he had no such plans. Instead, he said he plans to teach at the university level and give speeches on ethics and leadership.

"Never. I will never run for office. Not even a close call," he said. "I'm going to teach about leadership and ethics, and so I'm going to be a professor, which is exciting, and speak about leadership... I'm going to use my book in the class and I'm going to buy it for the students, because I'm not going to be one of those professors."

TRUMP TWEETS

- 

Donald J. Trump ● @realDonaldTrump · 5m

So many people are seeing the benefits of the Tax Cut Bill. Everyone is talking, really nice to see!

1.1K 968 4.3K
- 

Donald J. Trump ● @realDonaldTrump · 5m

Looks like Jerry Brown and California are not looking for safety and security along their very porous Border. He cannot come to terms for the National Guard to patrol and protect the Border. The high crime rate will only get higher. Much wanted Wall in San Diego already started!

597 1.0K 3.8K
- 

Donald J. Trump ● @realDonaldTrump · 5m

I am in Florida and looking forward to my meeting with Prime Minister Abe of Japan. Working on Trade and Military Security.

498 959 3.8K
- 

Donald J. Trump ● @realDonaldTrump · 5m

Employment is up, Taxes are DOWN. Enjoy!

625 1.2K 4.6K

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bowman, Liz
Sent: Wed 4/11/2018 5:30:52 PM
Subject: RE: Request for comment on Tar Creek

Ex. 5 - Deliberative Process

From: Jackson, Ryan
Sent: Wednesday, April 11, 2018 1:22 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Request for comment on Tar Creek

Ex. 5 - Deliberative Process

From: Bowman, Liz
Sent: Wednesday, April 11, 2018 1:20 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Subject: RE: Request for comment on Tar Creek

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Ex. 5 - Deliberative Process
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From: Jackson, Ryan
Sent: Wednesday, April 11, 2018 1:13 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Request for comment on Tar Creek

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Bowman, Liz
Sent: Tuesday, April 10, 2018 3:10 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Subject: FW: Request for comment on Tar Creek

From: Mike Soraghan [mailto:Mike.Soraghan@epa.gov] **Ex. 6 - Personal Privacy**
Sent: Tuesday, April 10, 2018 2:58 PM
To: Press <Press@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Request for comment on Tar Creek

Hi. Mike Soraghan here at E&E News. I'm working on a story about a Campaign for Accountability suing for communications between Senator Inhofe and Scott Pruitt, when he was Oklahoma attorney general, about the Tar Creek site. The obvious implication is that they suspect Senator Inhofe had something to do with General Pruitt not bringing charges after the state audit.

<https://campaignforaccountability.org/cfa-sues-oklahoma-attorney-general-to-obtain-communications-between-scott-pruitt-and-sen-james-inhofe-about-coverup-of-tar-creek-audit/>

Does EPA or Mr. Pruitt have any comment on the suit?

Thanks,

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E&E News reporter

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy (office and mobile)

Ex. 6 - Personal Privacy

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bowman, Liz
Sent: Wed 4/11/2018 5:19:33 PM
Subject: RE: Request for comment on Tar Creek

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bowman, Liz
Sent: Tue 4/10/2018 7:10:27 PM
Subject: FW: Request for comment on Tar Creek

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To: Flynn, Matthew J. EOP/WHO[Matthew.J.Flynn@who.eop.gov]
From: Bowman, Liz
Sent: Fri 3/23/2018 4:59:25 PM
Subject: FW: EPA's Weekly Report for 3/23/18

From: Wilcox, Jahan
Sent: Friday, March 23, 2018 12:12 PM
To: Ferre, Helen A. EOP/WHO <Helen.A.Ferre@who.eop.gov>; Rateike, Bradley A. EOP/WHO <Bradley.A.Rateike@who.eop.gov>; Love, Kelly A. EOP/WHO <Kelly.A.Love@who.eop.gov>; Shah, Raj S. EOP/WHO <Raj.S.Shah@who.eop.gov>; Kennedy, Adam R. EOP/WHO <Adam.R.Kennedy@who.eop.gov>; Hogan.Gidley@who.eop.gov
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Konkus, John <konkus.john@epa.gov>
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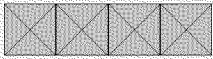
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TWEETS ...

FRONT PAGES ...

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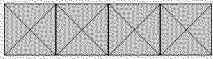
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To: Block, Molly[block.molly@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Konkus, John[konkus.john@epa.gov]
From: Bowman, Liz
Sent: Fri 3/23/2018 2:34:24 PM
Subject: Re: FOR REVIEW: EPA's Weekly Report for 3/23/18 - Preview

This looks great? Just change "convene" to past tense in the intro

On Mar 23, 2018, at 10:31 AM, Block, Molly <block.molly@epa.gov> wrote:

No Images? [Click here](#)

EPA'S WEEKLY REPORT

This week Environmental Protection Agency (EPA) Administrator Scott Pruitt sat down with more than a dozen reporters across all mediums to discuss the important work the Agency is doing to ensure regulatory certainty for America's farmers, ranchers, and businesses during National Agriculture Week. Pruitt also advanced the Trump Administration's infrastructure agenda with a push to eradicate lead from drinking water and convene a [national leadership summit](#) on PFAS to update America's crumbling water infrastructure.

NATIONAL NEWS ...

In an exclusive interview with the [Daily Caller](#), EPA Administrator Scott Pruitt laid out his plans to end the use of "secret science" to craft Agency regulations. "Pruitt will reverse long-standing EPA policy allowing regulators to rely on non-public scientific data in crafting rules. Such studies have been used to justify tens of billions of dollars worth of regulations. EPA regulators would only be allowed to consider scientific studies that make their data available for public scrutiny under Pruitt's new policy. Also, EPA-funded studies would need to make all their data public."

EPA Administrator Pruitt sat down with [AgDay](#) to talk about issues impacting farmers and ranchers including EPA's efforts to provide certainty by redefining "Waters of the U.S." According to Pruitt, a substitute or replacement definition will be issued sometime this year, a definition that will recognize private property ownership and the roles of states, and will answer the question of what exactly is a water of the United States. "We're going to get that right going forward, and the definition is going to provide clarity, objective measurements by which we know where federal jurisdiction begins and ends," he said."

OP-ED ...

In the [Washington Times](#), EPA Administrator Pruitt outline the Agency's efforts to overhaul the permitting process to "rebuild and revitalize our nation's crumbling infrastructure." The

president's ambitious proposal calls for the U.S. Environmental Protection Agency to play a leading role in the administration's efforts ... America's infrastructure was once the envy of the world. The president's proposal will restore our roads, bridges and waterways to greatness and create a safer, stronger America. Through regulatory reforms and targeted investments, EPA will spearhead the much-needed repairs to infrastructure in a way that provides tangible environmental benefits to all Americans."

REGIONAL NEWS ...

The [Detroit News](#) reported that eradicating lead from drinking water is one of EPA Administrator Pruitt's top priorities. "'I do think that what happened in Flint is something that could happen elsewhere. We just simply need to take steps to do all that we can to address it prospectively and proactively,' Pruitt said. Pruitt said President Donald Trump's \$1.5 trillion plan to bolster the nation's infrastructure over the next decade would include investments in aging water infrastructure."

While speaking with the [New York Post](#), Pruitt called for a local, state, and federal response to the lead crisis in New York City and across the country. "EPA Administrator Scott Pruitt called for a 'coordinated' response between New York State and City officials to address the ongoing lead crisis."

In an interview with [New Jersey Advance Media](#), Pruitt discussed efforts to make cleaning up Superfund sites a priority to advance the Agency's core mission. "The Environmental Protection Agency plans to step up efforts to get companies who dumped toxic waste at New Jersey's Superfund sites to pay to clean them up, Administrator Scott Pruitt said. Pruitt on Monday blamed a lack of urgency... New Jersey has 114 designated Superfund sites, the most in the nation, included three of Pruitt's 21 highest-priority locations."

Pruitt reiterated his commitment to prioritizing the Superfund program to clean up America's most contaminated sites, including Tar Creek, in an interview with the [Tulsa World](#). "Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation. 'It is really unacceptable,' Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there."

At his week's regional roundtable, the [Albuquerque Journal](#) reported on progress the Trump Administration is making on claim stemming from the 2015 Gold King Mine spill. "Environmental Protection Agency Administrator Scott Pruitt said Monday that the federal government is close to finishing its assessment of roughly 400 claims for financial damages stemming from the 2015 Gold King Mine spill, which dumped toxic chemicals into waters in New Mexico, Colorado and Utah, and final recommendations could be ready by the end of the month."

RADIO ...

This week, Administrator Pruitt joined [WZFG 1100 AM The Flag – North Dakota](#) to talk about his first year accomplishments, including repeal and replacement of both "Waters of the U.S." rule and Clean Power Plan.

Administrator Pruitt also joined the [Lars Larson Show](#), based in Portland, Ore., and discussed how he's working to get the EPA back to basics and provide regulatory certainty for all Americans.

On the St. Louis, Missouri's own [Mark Reardon Show](#), Administrator Pruitt talked a little about baseball and a lot about the good work the Agency is doing to improve environmental outcomes across the country.

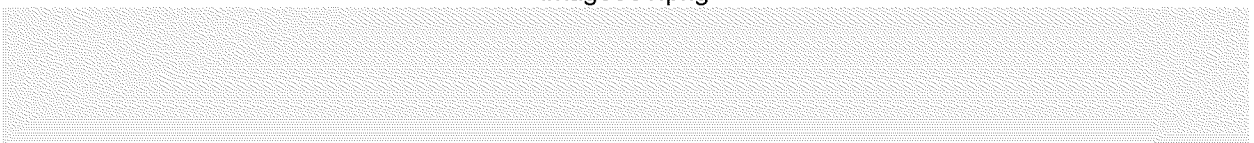
Scott Voorhees on [1110 KFAF--Omaha](#) had Administrator Pruitt on his show Wednesday to talk about what's to come at the EPA this year, including a continued focused on Superfund clean-up and regulatory transparency.

TWEETS ...

FRONT PAGES ...

<http://usenvironmentalprotectionagency.cmail20.com/t/d-i-odyjlil-l-m/>

<image001.png>





U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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To: Block, Molly[block.molly@epa.gov]
Cc: Beach, Christopher[beach.christopher@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Konkus, John[konkus.john@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Bowman, Liz
Sent: Fri 5/4/2018 12:39:08 PM
Subject: Re: FOR REVIEW: EPA News Highlights 5.4.18

Looks good

Sent from my iPhone

On May 4, 2018, at 8:38 AM, Block, Molly <block.molly@epa.gov> wrote:

EPA News Highlights 5.4.18

Bloomberg Environmental: EPA Tailoring Superfund Agreements for Concerned Companies

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties. The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3. Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Politico: EPA Narrows Guidelines for Aggregating Sources for Air Permitting

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements. Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately. In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority ... to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

Washington Examiner: US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles. Environmental Protection Agency Administrator Scott Pruitt said the indictment sends “a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities.”

National News Highlights 5.4.18

Reuters: Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

President Donald Trump, who briefly pledged to “fight” the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

CNBC: Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter. Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity. The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

Wall Street Journal: The Kentucky Derby Favorite Is Seeking to Outrun a Ghost

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015.

He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year. Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

TRUMP TWEETS

Bloomberg Environment

<https://news.bloombergenvironment.com/environment-and-energy/epa-tailoring-superfund-agreements-for-concerned-companies>

EPA Tailoring Superfund Agreements for Concerned Companies

By Sylvia Carignan, 5/3/18

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties.

The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3.

Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Renewed Interest

Those third parties are often environmental remediation companies and redevelopers that are willing to take on cleanup risks. The site-specific agreements address their concerns regarding their responsibilities at contaminated sites and the potential for future liabilities.

"We have seen an uptick in interest with those agreements," Mackey said.

Previously, third parties interested in Superfund sites had to rely on statutory protections to determine whether they are liable for contamination. The site-specific approach, which

comes from the agency's Superfund task force, helps manage third parties' cleanup expectations and liability concerns, she said.

EPA Administrator Scott Pruitt's task force specifically focuses on making changes to the Superfund program that don't require legislation. In more than 40 recommendations, the task force details administrative ways the agency can ensure accountability, accelerate cleanup, and prepare sites for reuse.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with the EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites, or third parties, to pay the cleanup bills.

From HQ to Regions

The two types of site-specific agreements that the EPA seeks to promote are bona fide prospective purchaser agreements and prospective purchaser agreements. The EPA's headquarters office is encouraging regional offices to use them more frequently. Both require the approval of the Department of Justice.

The bona fide prospective purchaser provision in the 2002 brownfields act protects landowners from liability for cleanup costs. The agreement is valid only if they meet certain conditions. These include reviewing records and inspecting the site for the presence or possibility of contamination, demonstrating that the purchaser is not affiliated with any liable party, complying with land use restrictions, and cooperating with information requests.

Prospective purchaser agreements center on the EPA's promise not to sue a party that could buy contaminated property. Certain conditions also must be met for these agreements.

The agency also is reviewing the content of those agreements to determine whether their templates should be revised, the EPA noted in guidance signed April 17.

Third-Party Liability

But third parties looking to take on contaminated sites may have another reason to hesitate, after an April 27 ruling from the U.S. Court of Appeals for the Ninth Circuit.

In California Department of Toxic Substances Control v. Westside Delivery, the court ruled that a third party, Westside Delivery, was liable for the costs of cleanup the state performed at Westside's contaminated property in Los Angeles.

Westside acquired the property in a tax sale and didn't interact directly with the original owner, the Davis Chemical Co., which recycled spent solvents at the site. A 1992 EPA assessment of the site found significant spillage, according to court documents.

The defendant argued that it was protected from liability under Superfund law, but the court disagreed.

“This decision reinforces the golden rule of acquiring industrial property—look before you leap,” Peter Hsiao, partner at Morrison Foerster LLP in Los Angeles, told Bloomberg Environment in an email. Hsiao’s practice includes Superfund litigation and other types of environmental law.

On the other hand, the case may not affect many third parties that are interested in buying contaminated sites, Bart Seitz, partner at Baker Botts LLP in Washington, told Bloomberg Environment.

“On the narrow facts of this case, I don’t think it’s that common,” he said. Seitz represents companies involved in Superfund litigation.

The EPA is reviewing the court’s decision and will determine whether any changes need to be made to site-specific agreements or guidance, Mackey said.

Politico

<https://subscriber.politicopro.com/energy/whiteboard/2018/05/epa-narrows-guidelines-for-aggregating-sources-for-air-permitting-1157347>

EPA Narrows Guidelines for Aggregating Sources for Air Permitting

By Alex Guillen, 5/3/18

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements.

Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as “common control.” In that case, the facilities’ emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately.

In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has “the power or authority ... to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements.”

A dependent relationship should not necessarily mean common control, he added. Facilities can be "economically or operationally interconnected" without being able to direct the other.

In the immediate case of the Pennsylvania landfill and processing plant, Wehrum concluded that the two are not commonly controlled because the landfill could otherwise meet methane emissions limits by burning off biogas and because the processing plant hopes to secure other sources of biogas.

WHAT'S NEXT: Ultimately, EPA's reasoning is only a recommendation. Pennsylvania regulators have the final say on whether these particular facilities fall under "common control."

Washington Examiner

<https://www.washingtonexaminer.com/business/us-charges-ex-volkswagen-ceo-martin-winterkorn-in-emissions-scandal>

US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

By James Langford, 5/3/18

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles.

Winterkorn, 70, and other senior executives of the German carmaker conspired for about nine years to mislead investors and U.S. consumers about the ability of its "clean diesel" vehicles to comply with the country's rules, according to an indictment unsealed Thursday in U.S. District Court in Michigan. Winterkorn, who stepped down from the top job shortly after the federal investigation began, also faces three counts of wire fraud in a scandal that has weighed on the company's U.S. stock for more than two years.

"If you try to deceive the United States, then you will pay a heavy price," Attorney General Jeff Sessions, an appointee of President Trump, said in a statement. "The indictment unsealed today alleges that Volkswagen's scheme to cheat its legal requirements went all the way to the top of the company. These are serious allegations, and we will prosecute this case to the fullest extent of the law."

Environmental Protection Agency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

According to the indictment, Winterkorn and other Volkswagen executives implemented software that made VW and Audi diesel vehicles appear to meet U.S. emissions standards when they didn't, thus boosting the company's sales and, potentially, their own incomes.

The so-called defeat device, which tightened engine emission controls enough to meet requirements when the software recognized a test was being performed, was developed after VW executives realized the carmaker was unable to build a diesel engine that was both compliant and had market appeal, prosecutors said.

Under normal driving conditions, which the software also recognized, the diesel engines' emission-control systems were much less effective, allowing them to pump as much as 35 times more nitrogen oxides into the environment than U.S. regulators allowed, according to the indictment. The pollutants contribute to both smog and acid rain.

The Justice Department and the EPA notified Volkswagen of the investigation in late September 2015, and the company promised to cooperate. Winterkorn relinquished his roles as CEO and chairman of the supervisory board five days later.

"I am doing this in the interests of the company, even though I am not aware of any wrong doing on my part," he said at the time. "Volkswagen needs a fresh start — also in terms of personnel. I am clearing the way for this fresh start with my resignation."

The company's U.S. shares have climbed 8.2 percent since the investigation was disclosed, trailing 32 percent growth on the broader S&P 500.

Volkswagen "continues to cooperate with investigations by the Department of Justice," said Pietro Zollino, a company spokesman. "It would not be appropriate to comment on individual cases."

Reuters

<https://www.reuters.com/article/us-usa-guns-trump/months-after-parkland-shooting-trump-to-embrace-nra-in-rally-like-speech-idUSKBN1I50ZR>

Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

By Jeff Mason, 5/4/18

President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

In addressing the gun lobbying group's annual convention, the Republican president will emphasize his support for gun rights in political terms, likely claiming again that Democrats want to take away Americans' firearms, a White House official said.

This will be Trump's fourth speech to the powerful NRA and, with control of the U.S. Congress up for grabs in November's midterm elections and campaigns under way, it is expected to include familiar warnings meant to excite the Republican voter base.

"These things typically are pretty 'rah, rah Second Amendment' types of addresses," the official said, adding that Trump likely will say that Democrats oppose the constitutional amendment that protects gun ownership.

The massacre that killed 17 people at Marjory Stoneman Douglas High School in Parkland, Florida, on Feb. 14 seemed to mark a turning point in America's long-running gun debate, sparking a youth-led movement for tighter gun controls.

Days after the shooting, Trump promised action on gun regulation and at a gathering of state officials, said this of the NRA: "We have to fight them every once in a while."

Since then, no major new federal gun controls have been imposed, although the administration is pursuing a proposed regulatory ban on bump stocks of the sort used in an October 2017 mass shooting in Las Vegas that killed 59 people.

A bump stock allows a semi-automatic rifle to fire like an automatic one. Semi-automatic assault rifles are sold widely in the United States, which has the world's highest per capita gun ownership rates. The NRA has fiercely defended America's gun ownership rights for many years, citing the Second Amendment.

RHETORICAL SHIFT

Since Parkland, Trump has largely moved his rhetoric back in line with the NRA, which endorsed him in his 2016 presidential election campaign and gave him its financial backing.

The group's convention in Texas will attract a strongly pro-Trump crowd, officials said, giving the president room to take some swipes at his opponents, review his record in office and complain about Special Counsel Robert Mueller's investigation of possible collusion between Trump's 2016 campaign and Russia.

The event was likely to be "reminiscent of rallies past," a second White House official said.

A Reuters/Ipsos poll found in March 2018 that 54 percent of adults wanted "strong regulations or restrictions" for firearms. That was up from 39 percent in a similar poll from April 2012.

Among Republicans in the poll, 40 percent wanted strong regulations or restrictions in

March 2018, up from 22 percent in April 2012.

Trump met with NRA officials privately at the White House twice in February as he mulled policy responses to the shooting. He eventually endorsed an NRA proposal to arm teachers, a step the group said would help prevent mass school shootings. Gun control activists generally oppose that idea.

Trump initially expressed enthusiasm for measures to close loopholes for gun buyers seeking to avoid the background check system, raise the age limit for buying rifles, and find ways to seize guns temporarily from people reported to be dangerous.

He has since endorsed more modest proposals, such as legislation aimed at providing more data for the background check system. He did not endorse closing a loophole in existing law that would require background checks for guns bought at guns shows or sales arranged over the internet.

CNBC

<https://www.cnbc.com/2018/05/03/mueller-focuses-on-links-between-roger-stone-trump-campaign-aide-gates.html>

Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

By Brian Schwartz, 5/3/18

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter.

Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity.

The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

In February, Gates pleaded guilty to two counts stemming from the Russia investigation, and he is cooperating with Mueller's probe.

The new developments indicate that Mueller's team is interested in Stone beyond his interactions with Wikileaks founder Julian Assange during the campaign.

An attorney for Stone, Robert Buschel, did not deny discussions took place between his client and Gates, but sought to downplay their importance.

"Roger Stone did not have any substantive or meaningful interaction with Rick Gates during or leading up to the 2016 campaign," Buschel told CNBC in a statement.

An attorney for Gates declined to comment. The special counsel's office declined to comment.

The link between Gates and Stone goes back to their work at what had been one of the most powerful lobbying firms in Washington, which was founded by Stone along with former Trump campaign chairman Paul Manafort. The special counsel's probe has yielded two indictments against Manafort, who is accused of several crimes, including bank fraud and conspiracy against the United States.

Gates joined the firm as an intern more three decades ago, and it is unclear how much work he did with Stone at the time.

The firm, called Black, Manafort, Stone and Kelly, was known for its work to help improve the image of controversial politicians, including Ferdinand Marcos of the Philippines, Mobutu Sese Seko of the Democratic Republic of the Congo and the Russian-aligned former president of Ukraine, Viktor Yanukovich.

Gates joined the Trump campaign in the spring of 2016 and became Manafort's deputy. It was there where he became close to many of Trump's confidants. He remained with the campaign even after Manafort's ouster. Gates then worked on Trump's inaugural committee and co-founded the pro-Trump nonprofit group America First Policies.

In March, Gates was pulled into the Mueller inquiry when the special counsel's office filed a motion that claimed the former campaign aide had contact with a former agent of the Russian intelligence service in 2016. This came after Gates pleaded guilty to lying and conspiring against the United States, which could lead to possibly six years in prison. A sentencing date has yet to be announced.

For Stone, this is another potential hurdle in an ongoing investigation that continues to focus on him, among others.

Sam Nunberg, a former Trump campaign advisor, also said he was asked about Stone's involvement with Wikileaks during his interview before Mueller's grand jury in March.

"Roger is certainly a subject," Nunberg said. "The fact that Roger hasn't been called in and the special counsel continues to ask questions about Roger's possible activities during the election shows that at the very least he's a subject."

Stone allegedly met with Assange, the Wikileaks founder, in August 2016. In an email leaked to The Wall Street Journal, Stone said, "I dined with my new pal Julian Assange last nite."

Stone has denied that he has met with the Wikileaks founder and said the email was in jest.

During the 2016 campaign, Wikileaks published emails allegedly stolen from the Democratic National Committee's servers by a Russia-linked hacker known as "Guccifer 2.0."

Wall Street Journal

<https://www.wsj.com/articles/the-kentucky-derby-favorite-is-seeking-to-outrun-a-ghost-1525431686>

The Kentucky Derby Favorite Is Seeking to Outrun A Ghost

By Jim Chairusmi, 5/4/18

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year.

"I just can't remember offhand," Baffert said last month about his earliest memories of Saturday's Kentucky Derby favorite.

But it didn't take long for the 65-year-old Baffert to take notice, after he saw the chestnut colt breeze in a workout at Santa Anita Park.

The dirt track at Santa Anita is deep and many horses can struggle over the surface, Baffert said. But not Justify.

"The first time I worked him [there] I knew he was something really special," Baffert said. "He just went around there and just did it effortlessly. And that's when I knew he was really a cut above the rest."

Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the

state of California.

But besides trying to beat 19 rivals to the finish line on Saturday, Justify and Baffert are also running against history. A horse that didn't race as a 2-year-old hasn't won the Kentucky Derby since a gelding named Apollo accomplished the feat in 1882. Since statistics were first kept in 1937, 61 horses have entered the Derby without racing at the age of 2. All have lost and only eight of the 61 even finished in the top-3.

The Kentucky Derby, a race in which only 3-year-old horses are eligible, is a stiff test for still-maturing thoroughbreds, with a large field and a boisterous crowd of over 150,000 fans, contested at a distance (1 ¼ miles) farther than any horse in the field has ever run. As a result, the popular consensus among horsemen has been to establish a racing foundation for a horse at an early age before attempting to run in classic races such as the Derby, Preakness and Belmont Stakes.

"The lack of experience is a very tough thing to overcome but in the case of Justify, if he had started at 2, he might not be in the position he is in today as the favorite," said Simon Bray, a former trainer and current analyst for the racing network TVG. "Physically, he's so big. I don't think he would have been as developed racing as a 2-year-old.

Hall of Fame jockey Jerry Bailey said the most impressive part about Justify is how quickly he's turned into a star, akin to a freshman in high school making the leap straight to the NBA.

"Justify is particularly challenged because [in addition] to not racing at age 2, he didn't even race until Feb. 18."

The so-called Curse of Apollo is something Baffert has heard a lot about, having come within 1 1/2 lengths of breaking it in 2012, when his trainee Bodemeister, who also didn't race as a 2-year-old, was overtaken just steps from the wire by I'll Have Another.

"The Apollo thing," Baffert said. "Whether it happens this year or whatever, it will happen."

Baffert said a big reason the streak hasn't been broken is that trainers used to start horses much earlier in their racing careers, something he said isn't fully the case now. "Trainers take their time. They don't run them as early 2-year-olds anymore," he said. "So I think the game has changed."

Bailey said an "exceptional" talent can overcome a lack of race experience.

"In this day and age, an inexperienced horse that didn't race at the age of 2, isn't running against horses that have run 10 times, 12 times, like they did 25 years ago. Most of the horses in the field are relatively lightly raced, so the disparity isn't as great," said Bailey, who is now an analyst for NBC Sports.

Trainer Todd Pletcher conditions Magnum Moon, the other late-developing, undefeated colt in this year's Derby field who is also looking to outrun the ghost of Apollo on Saturday.

"It's lasted long enough that I guess there has to be something to it. But I feel strongly that at some point someone's going to reverse the curse," Pletcher said.

Looking at the full field for the Derby, Bailey sees Justify as the likeliest winner.

"Magnum Moon is a good horse but I think Justify is several lengths faster than him. And probably several lengths faster than almost all of the field, except maybe Mendelssohn," said Bailey.

Coincidentally, the horse many consider to be the biggest threat to Justify in the Derby actually comes from the same bloodline. Mendelssohn—who secured a berth with an 18 1/2 length victory in the UAE Derby--and Justify were both sired by Scat Daddy. But horses by the same stallion, but birthed by a different dam (mother), are not considered related. Mendelssohn, conditioned by Irish trainer Aidan O'Brien, has won four of seven career starts.

Bray said he and Baffert were chatting one morning before the UAE Derby in Dubai when Baffert pointed to Mendelssohn.

"Baffert said, 'That horse is going to win the UAE Derby. The problem is, he's only the second-best Scat Daddy in the world right now. I have the best one.'"

TRUMP TWEETS

<image001.png>

<EPA News Highlights 5.4.18.docx>

To: Hewitt, James[hewitt.james@epa.gov]
Cc: Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]
From: Bowman, Liz
Sent: Wed 3/21/2018 1:05:10 PM
Subject: Re: FOR APPROVAL//EPA Morning News Highlights 03.21.18

Gtg

On Mar 21, 2018, at 8:53 AM, Hewitt, James <hewitt.james@epa.gov> wrote:

EPA Morning News Highlights 03.21.18

Tulsa World: EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation. "It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there. "You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018." The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Hot Air: EPA Ends The Use Of "Secret Science" In Crafting Regulations

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

Detroit News: EPA chief wants to eradicate lead from drinking water

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat. "I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters. "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this." Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

New York Post: EPA head calls for 'coordinated' response to NYC lead crisis

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis. Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts. "I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest." Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional \$250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

The Philadelphia Inquirer: Philly has a smog problem. Will Scott Pruitt's EPA say so?

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding. The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April. On Monday, Pruitt's office said it would meet the deadline.

National Morning News Highlights 03.21.18

Politico: Congress struggles to clinch spending deal

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown. Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties. There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

Wall Street Journal: Trump to Ramp Up Trade Restraints on China

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said. The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least \$30 billion. But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

TRUMP TWEETS

Tulsa World

http://www.tulsaworld.com/homepagelatest/epa-administrator-scott-pruitt-says-lack-of-clean-up-of/article_4a3e4982-569e-5023-8141-392ebe629a65.html

EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

By: Jim Myers, 3/21/18

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation.

"It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there.

"You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."

The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Pruitt blamed inconsistency, even within the EPA's 10 regions, as well as a lack of attention and focus, for slowing remediation outcomes.

"It is one of the things that seemed to be languishing as we arrived," Pruitt said, making it clear that the lack of urgency was something he found "palpable" at Superfund sites across the country.

"When it takes you 27, 28 years to make a decision — make a decision, not clean it up, not remediate, but make a decision on how you are going to remediate — that is unacceptable."

His comments came during one of several reporter roundtables he has been holding at the EPA's headquarters to mark his first year as administrator, during which he also became a leading voice in the Trump administration's major push on regulation reform.

Those efforts have prompted applause from his supporters and alarm from his critics.

Recently Pruitt is rarely out of the headlines, with stories ranging from travel expenses to speculation over whether his political future might include bids for a U.S. Senate seat or even the White House.

When given the chance to comment on yet another story this week about his political options, he took a pass.

Pruitt also declined to comment when asked about a recent decision by an Oklahoma judge to allow a lawsuit filed by Campaign for Accountability to continue. The lawsuit seeks to force the release of a 2014 audit of the Lead-Impacted Communities Relocation Trust, which was created in an effort to help move residents out of communities affected by the Tar Creek contamination.

“That is during my time as attorney general,” he said. “I think it is better that I just keep it focused on the EPA matters.”

Pruitt, who was Oklahoma’s attorney general before being tapped by President Donald Trump to lead the EPA, had declined to file charges based on the audit by state Auditor Gary Jones and also had taken steps to bar its release to the public.

According to reporting by The Oklahoman, legal action in the case continues and eventually could include an appeal to the Oklahoma Supreme Court.

Pruitt’s emphasis on Tar Creek and the other Superfund sites across the country grew out of a task force he created in 2017, just months after being sworn in as administrator.

Members of the Superfund Task Force came back with a list of specific recommendations under major goals ranging from expediting cleanup and remediation to promoting

redevelopment and community revitalization.

As part of that process, Tar Creek landed on a list Pruitt says he will use to keep the emphasis on the program.

Hot Air

<https://hotair.com/archives/2018/03/20/epa-ends-use-secret-science-crafting-regulations/>

EPA Ends The Use Of “Secret Science” In Crafting Regulations

By: Jazz Shaw 3/20/18

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the “party of science” to rely on actual science when pushing for regulatory changes. Promising to eliminate “secret science” in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

“We need to make sure their data and methodology are published as part of the record,” Pruitt said in an exclusive interview with The Daily Caller News Foundation. “Otherwise, it's not transparent. It's not objectively measured, and that's important.”

Pruitt will reverse long-standing EPA policy allowing regulators to rely on non-public scientific data in crafting rules. Such studies have been used to justify tens of billions of dollars worth of regulations.

EPA regulators would only be allowed to consider scientific studies that make their data available for public scrutiny under Pruitt's new policy. Also, EPA-funded studies would need to make all their data public.

“When we do contract that science out, sometimes the findings are published; we make that part of our rule-making processes, but then we don’t publish the methodology and data that went into those findings because the third party who did the study won’t give it to us,” Pruitt added.

In other words, science is not being excluded from any EPA studies. The agency is simply ensuring that groups conducting studies publish the data used to reach the conclusions they forward to the EPA so it can be examined and potentially challenged if it’s found to be faulty. Surely nobody who’s really interested in following the science could object to that, right?

Wrong. Democrats were immediately arguing against such a move, saying that forcing research organizations to publish their figures “would reveal confidential patient data.” That’s a rather odd argument in a couple of different ways. First of all, there’s a lot of data collected for various studies used by the EPA which have nothing to do with medical records. Examples include all of the groundwater studies done when the Obama administration was considering banning fracking.

But even in cases where medical information is required, the groups conducting the study were able to obtain the patient data. As Steve Milloy, the publisher of JunkScience.com was quoted as saying, California regularly makes such data available under the name, ‘Public Use Death Files.’ Other medical information can be compiled and have the patients’ names and other identifying personal information scrubbed. This is already done on a regular basis.

In fact, barring some subject which might compromise national security – such as the handling of tactical weapons materials – it’s difficult to imagine many true, scientific studies which couldn’t publish their underlying data, making it available for peer review. So if you’re still opposed to federal agencies wanting to see such data, the next logical question to ask is precisely what it is that you’re hiding.

The Detroit News

<https://www.detroitnews.com/story/news/politics/2018/03/20/epa-pruitt-lead-water-flint/33125283/>

EPA chief wants to eradicate lead from drinking water

By: Melissa Nann Burke, 3/20/18

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters.

"It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

"I do think that what happened in Flint is something that could happen elsewhere. We just simply need to take steps to do all that we can to address it prospectively and proactively," Pruitt said.

Pruitt said President Donald Trump's \$1.5 trillion plan to bolster the nation's infrastructure over the next decade would include investments in aging water infrastructure.

Pruitt didn't describe a plan for replacing the thousands of lead service lines throughout the country – a cost estimated around \$40 billion to \$45 billion – but stressed the need for state and local governments to invest in such upgrades, perhaps with federal grant aid.

Pruitt added he would “love” to see local governments investing more in water infrastructure.

“These water treatment facilities – they have authority to bond out, to raise fees, to invest in corrosion control, the replacement of service lines and the rest,” Pruitt said. “And some of them just aren't doing it.”

Gov. Rick Snyder has proposed having water customers across Michigan pay a \$5 annual fee to help upgrade aging infrastructure and replace lead pipes in their local communities, but the plan hasn't gained steam in the Republican-controlled Legislature.

U.S. Rep. Dan Kildee, D-Flint Township, said what Pruitt has described isn't really a plan.

“When it comes to Mr. Pruitt, nice words don't replace pipes. It takes money. What they have proposed is really nothing when it comes to infrastructure,” Kildee said of the Trump administration.

Kildee said what would help is Pruitt putting his support behind Kildee's legislation that would reduce the acceptable amount of lead in drinking water to 5 parts per billion. The current federal action limit is 15 parts per billion.

“Force federal and state governments to stare this in the face by adopting a level that is science-based that says there is no acceptable level of lead,” he said.

EPA has spent a decade trying to update the rule.

Snyder called the rule “dumb and dangerous” after the Flint disaster. The state has proposed draft rules to drop the acceptable amount of lead in drinking water to 10 parts per billion by 2024.

The New York Post

<https://nypost.com/2018/03/21/epa-head-calls-for-coordinated-response-to-nyc-lead-crisis/>

EPA head calls for ‘coordinated’ response to NYC lead crisis

By: Marisa Schultz, 3/21/18

EPA Administrator Scott Pruitt called for a “coordinated” response between New York State and City officials to address the ongoing lead crisis.

Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts.

“I think a local, state and federal response that is very coordinated and collaborative is terribly important,” Pruitt said in an interview. “We each play a role. I’d love to see steps taken at the local level to invest.”

Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional \$250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

Pruitt declined to weigh in on the Cuomo/de Blasio feud but encouraged broad infrastructure investment from all levels to prevent children from getting sick.

“I think the governor’s call for that is important and it’s something we think is important as well and we need to contribute to it along with the states, local cities and towns,” Pruitt said.

While the problems in NYCHA are centered on lead paint, Pruitt has primarily tackled the issue of eliminating lead poisoning from water. He raised concerns over high lead levels found at certain New York City school water fountains.

“I do think that what happened in Flint is something that could happen elsewhere,” Pruitt said. “We just simply need to take steps to do all that we can to address it prospectively and proactively.”

Pruitt estimated it would take \$40 billion – \$45 billion to replace lead service lines nationwide and suggested President Trump’s \$1.5 trillion infrastructure plan can assist states and cities with the costs.

“I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water,” Pruitt said.

He added: “It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this.”

The Philadelphia Inquirer

<http://www.philly.com/philly/health/pruitt-epa-smog-philadelphia-ozone-20180320.html>

Philly has a smog problem. Will Scott Pruitt's EPA say so?

By: Frank Kummer, 3/20/18

Mollie Michel of South Philadelphia keeps her children inside some days because of air pollution, so she's particularly irked by a long delay by the U.S. Environmental Protection Agency to say officially whether Philadelphia has a smog problem. That designation could mean more regulation to help clean up the dirty air, she said.

"You have a city with a childhood asthma rate twice as high as the national average," Michel said to bolster her argument. A member of Moms Clean Air Force, she gathered Tuesday with a few dozen other activists and local officials at City Hall to mark the first day of spring by protesting Trump administration policies.

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding.

The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April.

On Monday, Pruitt's office said it would meet the deadline.

Pruitt said during a meeting with reporters at EPA headquarters in Washington that the scope of monitoring required to answer the smog question had caused the delay.

"The agency has been running behind for a number of years," said Pruitt, who took office a year ago.

Pruitt, who said he didn't have data specific to Philadelphia in front of him, also took issue with how the monitoring program has been carried out in the past, saving money by "modeling" — using data from one area and applying it to another.

"Real data is terribly important," Pruitt said. "When we go forward, we need to focus more on monitoring as opposed to modeling ... You shouldn't get data from one monitor and extrapolate it over a whole area because you're not dealing with real data at that point."

He said his office is "exploring ways" to pay for monitoring.

If Philadelphia is declared to have a smog problem, the Pennsylvania Department of Environmental Protection would be responsible for crafting a plan to reduce ground-level ozone. Ozone is formed when volatile organic compounds and nitrogen oxides — created by burning fossil fuels, and power plants and other industries — combine in sunlight. Long, hot, humid days act as smog factories, so smog is expected to increase as the climate warms up.

James Garrow, a spokesman for the city's Department of Public Health, said, "Philadelphia is indeed out of compliance" as of March 1. He said the trend for ground-level ozone has been going down for years and Philadelphia expects to meet requirements within a few years.

At the protest, Flora Cardoni, an organizer with PennEnvironment, joined Democratic State Reps. James R. Roebuck Jr. and Brian K. Sims, as well as members of Deep Green Philly and the Clean Air Council, in speaking out. Cardoni said it's already been too long a wait for action.

"Philadelphians want to walk along the Schuylkill, play in Fairmount Park, and wander the historic city without worrying about choking on smog and soot," she said.

Politico

https://www.politico.com/story/2018/03/20/omnibus-vote-house-thursday-473010?lo=ap_e1

Congress struggles to clinch spending deal

By: Burgess Everett, Rachel Bade, Sarah Ferris and Heather Caygle, 3/20/18

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown.

Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties.

There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

Asked how confident he was that the Senate would avoid weekend work, Sen. John Thune (R-S.D.) replied: "I'm not real confident at this point."

Dragging the talks into Wednesday would increase the chance that lawmakers pass a short-term spending bill to prevent a temporary shutdown when funding lapses Friday evening.

Several issues remain open after administration officials participated in a lengthy meeting Tuesday afternoon with top leadership and appropriations staffers that did little to break the logjam.

“Everything that remains is going to be pulling teeth to resolve,” said a senior congressional aide with knowledge of the meeting, which included representatives from the White House and the Office of Management and Budget.

The New York-area Gateway project is a primary issue for the White House, according to the aide, but several other provisions are also still up in the air.

Trump is likely to support the bill if the Gateway project is excluded, the military receives a major budget boost and there is a significant infusion of border security funding, White House legislative affairs director Marc Short said at the Capitol Tuesday.

House Speaker Paul Ryan (R-Wis.) told his conference that he is planning to pass the massive, \$1.3 trillion omnibus on Thursday, according to House Republicans.

"I'm hoping today," Ryan told reporters when asked Tuesday morning when leaders would wrap up negotiations. He said lawmakers were not yet considering a short-term funding patch to buy more negotiating time. "There are some unresolved issues. We're working through them as we speak."

Senate Majority Leader Mitch McConnell (R-Ky.) said he would keep the Senate in until the bill is passed.

"We anticipate the House filing later today, which will give the Senate plenty of time to take a look at it and see what's in it," McConnell said on Tuesday afternoon.

Still, on the House's current schedule, the Senate would have just a day to pass the bill before government funding runs out on Friday evening — allowing for any one senator to shut the government down briefly. Sen. Rand Paul (R-Ky.) caused such a shutdown last month in protest over a budget deal.

Paul would not rule out doing everything he can to stop the spending bill if he views it as poorly as he did a budget bill in February.

"I will oppose the bill. I have to make a decision about whether or I will accept a time agreement," Paul told reporters on Tuesday.

Senate leaders are already entertaining a short-term spending bill in preparation for any antics by Paul.

"We're going to be here into the weekend, perhaps. But I think there could be some measures taken to keep the lights on. But we'll get it done," said Senate Majority Whip John Cornyn (R-Texas). "Anything can happen around here."

Congressional leaders had hoped to file the bill, which would fund the government through the end of September, on Monday night with a House vote on Wednesday. But Congress is bogged down over policy provisions that various congressional factions are trying to attach to the must-pass bill. Many lawmakers view the legislation as their last chance to get their priorities signed into law before the midterm elections.

"Negotiations continue between the four leaders. A few sticking points remain, but we are very close," said Senate Minority Leader Chuck Schumer (D-N.Y.). "I think it will be a fair compromise."

Lawmakers and aides estimated there were as many as 20 provisions still being debated. One of the most controversial is \$900 million in funding for the Gateway tunnel project in New York, a key priority of Schumer and New York-area Republicans and Democrats.

Gateway supporters are trying to include language that would allow the project to apply for competitive grant money and prevent the Trump administration from squashing the project. Trump has told Republicans he will veto a bill that funds the project specifically. Schumer and GOP leaders were still battling over the provision as of Tuesday afternoon, and the New Yorker said the tunnel is of national significance despite Trump's complaints.

The White House remains unmoved, however.

“The secretary of transportation has explained if you put that much money in one project it’s going to crimp projects across the country she needs to fund. It’s also a project that a majority of House Republicans... voted against,” Short said. “The president has made his wishes well known so I think we’re going to be fine.”

Another sticking point: immigration. Talks to protect young immigrants facing deportation fell apart over the weekend, but congressional Democrats spent Monday and Tuesday pushing to freeze hiring of immigration enforcement officials in return for providing Trump more than \$1 billion in funding on his border wall.

Democrats and Republicans are likely to agree on about \$1.6 billion in border funding that would help finance some fencing and security and avoid directly funding the large concrete wall that Trump wants, according to a Democratic aide.

Republicans are seeking to fix an error in the new tax law that lowers tax bills for farmers that sell grain to cooperatives at the expense of other companies. Though Senate Democrats and some Senate Republicans are willing to rewrite the provision in exchange for a boost in Low-Income Housing Tax Credits in the spending bill, Ryan has resisted, according to people in both parties. Ryan allies say that just because he rejected an offer from Schumer to fix

the so-called “grain glitch,” it doesn't mean the issue is dead altogether.

Congressional Democrats also pushed provisions to protect special counsel Robert Mueller but have been rebuffed by GOP leaders. An attempt to shore up Obamacare's insurance markets is also stalled in a battle over abortion.

Lawmakers believe neither of those provisions will be in the omnibus.

A Tuesday morning school shooting in Maryland, however, may have thrown another wild card into the mix: GOP leaders are pressing to include popular legislation that would improve the National Instant Criminal Background Check System for firearms purchases.

"We remain hopeful that Fix NICS is in the omni," Short said of the proposal to improve the FBI's background check system.

But Democrats want a broader gun debate and note that the provision is a modest way to simply bolster existing gun laws. Meanwhile, conservatives believe it would make it more difficult for some veterans to buy a gun, which could keep that provision out as well.

"There are still some key questions. There's a NICS question, there's an Internet sales tax question, there's [an Obamacare] question. There's a Gateway project financing question," said Rep. Jim Jordan (R-Ohio), a conservative leader. "It looks like a lot of those things aren't gonna be in it, which is a good step, but it still spends way too much money."

The Wall Street Journal

<https://www.wsj.com/articles/trump-to-ramp-up-trade-restraints-on-china-1521593091>

Trump to Ramp Up Trade Restraints on China

By: Bob Davis, 3/20/18

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said.

The administration plans to release on Thursday a package of proposed punitive measures

aimed at China that include tariffs on imports worth at least \$30 billion.

But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

Final details of the plan, including the amount of imports to be hit by tariffs, remain in flux, those involved with the discussions said. While the rough amount and rationale for the tariffs are expected to be disclosed on Thursday, the final decisions will come once U.S. industry has had its say, they said.

A White House spokeswoman declined to comment.

The effort stems from a monthslong investigation by the administration into Chinese intellectual property practices that found the damage to U.S. companies from forced technology transfer is \$30 billion annually.

The administration has warned Beijing that it risked tariffs if it didn't significantly liberalize its market and eliminate practices that disadvantage foreign firms.

While the administration's plans to put tariffs on China have received most of the attention, it is considering other significant penalties, especially those aimed at state-owned Chinese firms. It plans to argue that Chinese state-owned firms buy U.S. technology not for commercial purposes, but to apply for military use and otherwise gain an edge in the race for global technological dominance.

The administration believes that Beijing, in requiring U.S. companies to form joint ventures to do business in China, then pressures them to transfer important technology to their Chinese partners. The U.S. also contends Beijing improperly subsidizes Chinese companies looking to overtake U.S. rivals in such advanced technologies as semiconductors, artificial

intelligence and robotics.

Chinese officials have said that they are improving their protection of intellectual property and liberalizing their economy. They also complain that the U.S. hasn't given them a specific list of demands that they need to meet to head off tariffs.

The country's responses to challenges from President Donald Trump loomed large as China's leaders closed out an annual political gathering on Tuesday.

Premier Li Keqiang, the titular No. 2 leader, struck a conciliatory tone on trade with the U.S. At a news briefing in Beijing's Great Hall of the People, Mr. Li said "there are no winners" in a trade war between the world's two largest economies, and appealed for calm.

People involved in the planning say the Trump administration is looking at making reciprocity the core of U.S. investment relations with China, meaning that the U.S. would impose restrictions on Chinese investment similar to those that U.S. firms face in China. That could mean that the U.S. would insist that Chinese firms form joint ventures before doing business in the U.S., unless China dropped those restrictions.

The U.S. has already made it more difficult for Chinese companies to invest in the U.S. by blocking Chinese bids to purchase U.S. semiconductor firms. That is done by an interagency review of foreign acquisitions by the Committee on Foreign Investment in the U.S. Congress is looking to broaden CFIUS reviews of acquisitions so they include joint ventures too.

The expansion would include reviews of technology transfers to foreigners and could apply to joint ventures both outside and within the U.S. But CFIUS looks solely at national security concerns. The administration wants to address economic harm as well, according to these people.

Any imposition of tariffs, without going first to the World Trade Organization, is sure to prompt a chorus of criticism not just from Beijing but from U.S. industry, which has

opposed tariffs as counterproductive. The WTO adjudicates trade cases and has the power to authorize tariffs in cases where a losing party doesn't change its practices. The administration is also considering bringing a case against Chinese trade practices that are covered by the WTO.

Oregon Sen. Ron Wyden, the senior Democrat on the Senate Finance Committee, said he opposes the broad imposition of tariffs. "American producers who haven't gotten a fair shake in the past aren't going to get that back by just have tariffs slapped on imports indiscriminately," he said.

Tariffs are bound to cause China to retaliate, said Clement Leung, Hong Kong's representative in the U.S. Chinese officials "cannot show any weakness" at a time when the country's leader, Xi Jinping, has just been confirmed for his second term, Mr. Leung said. Hong Kong, a trading center that operates somewhat independently from the rest of China, would be hurt by limits on trade.

Whatever the political blowback, Harvard law professor Mark Wu, a trade expert, says that the White House has authority to impose tariffs under section 301 of the Trade Act of 1974.

"In situations where the U.S. Trade Representative deems unfair trade practices to fall outside the scope of a WTO-covered agreement, then the statute permits the executive branch to take action directly without first seeking recourse through WTO dispute settlement" procedures, he said.

Frustration with Chinese trade practices has been building among both the governments and private sectors of the U.S., Japan and Europe. One reason the U.S. is considering a separate WTO case is to try to recruit allies to pressure China. But any move to impose tariffs could allow Beijing to portray itself as a victim. Coalition-building has become more complicated in the wake of a separate U.S. action to levy tariffs on steel and aluminum imports from allied nations.

For instance, finance ministers and central bankers from the Group of 20 countries, meeting

in Buenos Aires on Tuesday, failed to reach any new agreement on shared principles when it comes to trade policies, as the split between the U.S. and other major economies deepened over the U.S.'s tariff policies.

The administration is considering recommendations from two other reports that would impose draconian investment restrictions on China. The U.S.-China Economic and Security Review Commission, a Congressional panel that takes a hard line on China, last year urged the administration to prohibit "the acquisition of U.S. assets by Chinese state-owned or state-controlled entities, including sovereign wealth funds."

A report for the Pentagon by its Defense Innovation Unit Experimental, which examines technology issues, has recommended that the Pentagon pursue a policy of "detering Chinese technology transfer" by broadening CFIUS's mandate and strengthening export controls on technology to China.

China Investment Corp, Chinese sovereign-wealth fund which could get hit by sanctions, is putting together a fund targeting as much as \$5 billion with Goldman Sachs Group Inc., aimed at investing in U.S. manufacturing and other sectors. CIC hopes the fund would pass muster with U.S. regulators, say those people familiar with the plans.

It is unclear how far the administration will go in pursuing these ideas. Blocking the acquisition of all purchases by Chinese state firms, for instance, would mean that Chinese state-owned airlines couldn't buy Boeing jets. Toughening export controls on, say, semiconductor production machinery could cede the market to Japanese vendors.

The administration's actions on China come on the heels of plans to levy tariffs on steel and aluminum imports. Japan, Korea and the European Union are scrambling to get exemptions from those levies, which are set to go into effect on Friday.

TRUMP TWEETS

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<EPA Morning News Highlights 03.21.18 docx.docx>

To: Jahan Wilcox (wilcox.jahan@epa.gov)[wilcox.jahan@epa.gov]; Lincoln Ferguson (ferguson.lincoln@epa.gov)[ferguson.lincoln@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]
From: Bowman, Liz
Sent: Thur 4/5/2018 7:39:02 PM
Subject: FW: CFA FOIA lawsuit

From: Russ Choma [mailto:rchoma@motherjones.com]
Sent: Thursday, April 5, 2018 3:37 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: CFA FOIA lawsuit

Hi Liz,

I just saw a copy of a lawsuit filed today by Campaign For Accountability claiming that the EPA has not been responsive to its FOIA requests regarding the Tar Creek scandal – do you have a response?

More specifically, the FOIA request they're suing over seems to be probing to find out whether anyone in Administrator Pruitt's office has been in contact with anyone in Oklahoma state government about the way the state should handle requests to unseal an audit of the Tar Creek buyout program that was commissioned when Pruitt was Oklahoma AG – has there been any contact between EPA officials and Oklahoma officials on the issue?

The FOIA requests also seem to be trying to determine if any EPA officials were involved with the leaking or distribution of a 2013 EPA IG report on the buyout program – was there any involvement by EPA officials in that report's recent publication?

I'm going to press ASAP, but am very happy to include anything you can pass on as an update. Can fwd a copy of the lawsuit if you haven't seen it.

Thanks,

--

Russ Choma

Mother Jones

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

To: Hassell, Emily[hassell.emily@epa.gov]
From: Bowman, Liz
Sent: Wed 2/21/2018 8:41:47 PM
Subject: RE: News Clips - 21 February 2018

Thanks, Emily!

From: Hassell, Emily
Sent: Wednesday, February 21, 2018 2:32 PM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: News Clips - 21 February 2018

(Full stories, highlights, and details are listed further down in the email, and can be jumped to by clicking on any of the links below.)

Administrator Pruitt's Travel

[Reuters - House Democrats ask EPA chief for details on premium travel](#)

[Politico - House Democrats press Pruitt for more info on travel](#)

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E&E News PM - Justices pass on challenges to EPA's Clean Water Act power

The Hill - Hundreds of mayors unite against Trump reversal of Obama-era climate plan

E&E Greenwire - OMB greenlights bid to scrap Obama oil and gas guidelines

E&E Greenwire - Judges hear arguments over 2 EPA listing decisions

InsideEPA - EPA Names Chemical Company Lawyer To Waste Office's Deputy Slot

E&E News PM - 'Lean' training this spring — operations chief

E&E Greenwire - IG to examine emergency-response gear

AP - Oil spill cleanup underway in suburban Oklahoma City

Reuters - Missouri residents sue over radioactive material storage sites

E&E Energywire - IG report discounted Tar Creek Superfund fraud claims

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Reuters

<https://www.reuters.com/article/us-usa-epa-travel/house-democrats-ask-epa-chief-for-details-on-premium-travel-idUSKCN1G42IC>

House Democrats ask EPA chief for details on premium travel

By Valerie Volcovici, 2/20/18, 1:01 PM

WASHINGTON (Reuters) - Democrats on the House energy committee on Tuesday asked Environmental Protection Agency chief Scott Pruitt to explain travel records that recently came

to light, which showed he has taken frequent first-class flights at taxpayer expense.

The Democrats wrote a letter asking Pruitt to provide a list of all dates where he traveled in first or business class, an explanation on how he followed guidelines for obtaining waivers for premium travel and the names of other staff who also traveled in premium class.

Complaints about travel arrangements by Pruitt and other Trump administration cabinet members re-emerged last week. Last year, Health and Human Services Secretary Tom Price resigned after reports that he used private jets for routine travel.

The documents cited by the lawmakers showed that Pruitt's official travel has included first class flights for him and key staff, as well as the use of charter flights.

Pruitt did not immediately reply to a request for comment on the letter from members of the House panel. He recently said in a television interview that he was instructed to travel first class due to security threats and "uncomfortable" confrontations with other passengers.

The letter from the lawmakers asked Pruitt to explain why he believes security threats are reduced in first class cabins.

On Feb. 18, the Washington Post reported that Pruitt canceled a planned weeklong trip to Israel. A few days earlier, the newspaper had reported that he spent over \$100,000 in taxpayer money for premium travel, based on records obtained by the Environmental Integrity Project.

That watchdog group on Friday obtained new travel records, shared with media, showing Pruitt and EPA employees spent upwards of \$150,000 on premium commercial and chartered flights from March to August 2017.

"Americans deserve an EPA Administrator more dedicated to first class protection of human health and the environment than to luxury travel at taxpayer expense," the letter said.

The letter also questioned a claim by EPA spokesman Jahan Wilcox, who told reporters Pruitt received a "blanket waiver" by ethics officials to enable him to travel first class.

The committee Democratic leaders, Representatives Frank Pallone, Paul Tonko and Diana DeGette, asked for answers by March 6.

Politico

<https://www.politicopro.com/agriculture/whiteboard/2018/02/house-democrats-press-pruitt-for-more-info-on-travel-646305>

House Democrats press Pruitt for more info on travel

By Eric Wolff, 2/20/18, 12:09 PM

Democrats on the House Energy and Commerce Committee are pressing EPA Administrator Scott Pruitt to clear up the "shifting explanations" around his reasons for flying first class.

Reps. Frank Pallone (N.J.), Diana DeGette (Colo.) and Paul Tonko (N.Y.), the top Democrats on the full committee, the oversight subcommittee and the environment subcommittee, sent Pruitt a letter today asking for details on the security justifications and who is involved in booking his first-class plane tickets.

"The Agency has offered shifting explanations to date regarding whether or not you have complied with federal regulations and Agency policies and procedures, raising significant questions about the veracity of information provided by your office," the letter says.

Pruitt has flown first class extensively in the past year and has received an unusual number of security threats. Last week, the agency told POLITICO that it had a "blanket waiver" for Pruitt's pricey travel, but backtracked after POLITICO cited EPA regulations barring such a waiver.

Pruitt has received more threats than his predecessors, EPA has said, and faced confrontations in airports when he has traveled.

The same group of Democrats wrote last week to EPA Inspector General Arthur Elkins asking him to expand his probe of Pruitt's travel.

E&E Greenwire

<https://www.eenews.net/greenwire/stories/1060074395/search?keyword=EPA>

House watchdog questions Pruitt's first-class travel

By Kevin Bogardus, 2/21/18

The House's top watchdog is requesting justification for U.S. EPA Administrator Scott Pruitt's first-class travel.

House Oversight and Government Reform Chairman Trey Gowdy (R-S.C.) sent a letter yesterday to the EPA chief asking for records that back up the agency's claims that Pruitt has taken the pricier business- and first-class trips over security concerns as well as a full accounting of every trip the administrator has taken during his first year at EPA.

Gowdy asked for the documents "to assist the committee's oversight of whether federal regulations regarding official travel were followed." The chairman also took issue with an EPA spokesman's statement last week that Pruitt had a "blanket waiver" to fly first class due to security threats, which was later amended to say the administrator seeks an individual waiver for each flight (E&E Daily, Feb. 15).

"Clearly, federal regulations prohibit a blanket waiver to fly first class except to accommodate disabilities or special needs. Instead, a waiver for each flight is required in order to fly first or business class when traveling on official government business," Gowdy said.

The Republican asked that Pruitt identify each flight he has taken for official business from Feb. 17, 2017, to Feb. 16 of this year, including the cost of each flight and whether it was coach, business or first class.

In addition, Gowdy asked for any waivers given to Pruitt for the more expensive flights and for him to identify all other EPA employees and security guards who traveled with him and the cost of their airfare.

The Oversight chairman asked that Pruitt respond to his request no later than March 6.

Asked about Gowdy's letter, an EPA spokeswoman told E&E News, "We will respond through the proper channels."

Pruitt's travel over the past year, including his use of first-class flights as well as charter and military planes, has come under scrutiny from lawmakers and environmental groups. The EPA inspector general has an ongoing audit of the administrator's trips, which it has expanded twice to cover all of Pruitt's travel through the end of 2017.

CNN

<http://www.cnn.com/2018/02/18/politics/epa-scott-pruitt-israel-travel/index.html>

Pruitt postponing visit to Israel after reports of expensive travel

By Eli Watkins, 2/18/18, 1:48 PM

Washington (CNN) - Environmental Protection Agency chief Scott Pruitt has postponed a planned visit to Israel following criticism for taking expensive flights on the taxpayer dollar, an EPA spokesperson confirmed to CNN.

"We decided to postpone," EPA public affairs officer Liz Bowman said in an email. "The administrator looks forward to going in the future."

The Washington Post was first to report news of the postponement, and people in Israel briefed on Pruitt's plans told the Post he would have arrived Sunday and stayed at a five-star hotel in Jerusalem through Thursday.

The Post said an EPA official previously said Pruitt would visit Israel to tour the nation and "gain an understanding of Israel's unique infrastructure and environmental challenges."

Pruitt has faced criticism for taking expensive flights and staying at luxury hotels more often than his predecessors, but has pushed back on accusations of improper or wasteful spending.

"We've reached the point where there's not much civility in the marketplace," Pruitt said. "And it's created, you know, it's created some issues and the (security) detail, the level of protection is determined by the level of threat."

He said he did not make the decision around his security and travel, and EPA documents have

outlined details of some of his travel.

Scrutiny over Pruitt's travel has built for months, making him one of several Trump administration Cabinet officials under fire for their travel practices. Tom Price resigned last year as secretary of the Department of Health and Human Services after reports emerged about his extensive use of government-funded private jets.

The Hill

<http://thehill.com/homenews/administration/374715-white-house-trump-has-confidence-in-va-epa-chiefs>

White House: Trump has confidence in VA, EPA chiefs

By Jordan Fabian, 2/20/18, 3:53 PM

The White House indicated Tuesday that President Trump has confidence in his Veterans Affairs secretary and Environmental Protection Agency director despite allegations of travel abuses.

"I have no reason to believe otherwise," White House press secretary Sarah Huckabee Sanders told reporters when asked if Trump still has confidence in VA Secretary David Shulkin and EPA Administrator Scott Pruitt.

"As we have said many times before, if somebody doesn't have the confidence of the president, you will know."

An inspector general report found that Shulkin improperly used taxpayer dollars for a trip to Europe last year and Pruitt has come under scrutiny for flying first-class while on official business.

Politico

<https://www.politicopro.com/energy/article/2018/02/pruitts-cleanup-plan-wont-win-superfund-tax-infusion-353771>

Pruitt's cleanup plan won't win Superfund tax infusion

By Alex Guillen and Anthony Adragna, 2/20/18, 4:33 PM

Congress revived a tax on crude to help pay for oil spill cleanups, and President Donald Trump has kept the door open for a 25-cent increase in the gas tax to fund infrastructure projects.

But there's little chance Congress will try to resurrect a long-dead Superfund tax on oil and chemical companies to help pay for EPA Administrator Scott Pruitt's push to shrink the backlog of thousands of polluted properties around the country.

Pruitt has pledged to speed the cleanup of the nation's worst Superfund sites, but he has never raised the idea of reviving the tax that was killed in 1995 after the "Gingrich revolution" the previous year gave the GOP control of the House. And though some Democrats and green groups continue to tout the tax, Republican lawmakers aren't worried that Pruitt's Superfund cleanups will suffer.

"I don't think we have enough time to say whether the direction [EPA is] going now is good or bad or needs to change," Rep. John Shimkus (R-Ill.), chairman of the Energy and Commerce Environment Subcommittee, told POLITICO. "I think he's making a good-faith effort to do it with the resources he has."

The Superfund tax killed in the 1990s had three main revenue streams that generated \$1.5 billion annually: 9.7 cents per barrel of crude oil produced or imported; a tax on certain chemicals and metals that went as high as \$4.87 per ton depending on the substance; and a 0.12 percent tax on corporate profits exceeding \$2 million.

By 2002, the Superfund had run dry, forcing Congress to tap into the government's general fund for its annual budgets. Under the Obama administration, Congress approved an average of \$1.17 billion each year for Superfund cleanups. The Trump White House's proposed 2019 budget originally allocated just \$762 million, although a last-second spending cap boost passed by Congress brought the proposed Superfund levels back up to \$1.09 billion, on par with the previous couple of years.

Republicans are wary of imposing any new tax burdens, and many said they weren't familiar enough with the lapsed excise tax to evaluate it. And they said the revived oil spill tax, which imposes a 9-cent-per-barrel tax on oil that goes into the Oil Spill Liability Trust Fund, was not a good comparison.

"The Oil Spill Liability Trust Fund is so specific in its purpose," Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska) told POLITICO. "I haven't given thought to [the Superfund tax] and why this would be the right approach."

Others suggested the Superfund tax warranted further study.

"I don't know how much of a [funding] deficit exists in the Superfund sites," Sen. Dan Sullivan (R-Alaska) told POLITICO. "I certainly would look into it."

Democrats have argued the Superfund needs a dedicated funding stream outside of annual appropriations to pay for cleaning up hundreds of contaminated sites, and restoring the lapsed tax would show the administration's commitment to addressing the problem.

“I do think there would be an opportunity for Congress to empower the resources to deal more effectively with brownfield sites and Superfund sites that have been identified,” Sen. Ben Cardin (D-Md.) said.

If EPA can identify the culprit behind a site, known as a “potentially responsible party,” it can force them to pay for cleanups, which happens at around 70 percent of sites.

The Trump administration has not proposed reviving the tax, and an EPA spokesman said that Pruitt “will continue to work with the funding provided by Congress to expedite remedies at all sites listed on the National Priorities List.”

Pruitt has said that private money should be responsible for remediation, and he has downplayed the need for federal money, telling “Fox & Friends” last year “it’s not a matter of money, it’s a matter of leadership and attitude ad management.”

Earlier this month, EPA proposed requiring subsidiaries of Republic Services and Exelon to foot part of the \$236 million bill for a cleanup of radioactive waste at a St. Louis landfill. And last fall, EPA approved a \$115 million plan to remove most of the dioxins at the submerged San Jacinto waste pits near Houston, though that decision is being opposed by the Waste Management.

But nearly one-third of the time, Superfund sites are known as “orphans,” with no clear responsible party. In those cases, the taxpayers are on the hook.

Some green groups say the responsibility for those 314 orphaned sites sites should fall on the overall polluting industry — the way the Superfund tax was funded.

“The whole idea of Superfund is responsible parties pay. If there’s an orphaned site, shouldn’t the industries likely to have caused the problem pay rather than the regular taxpayer?” said Scott Slesinger, legislative director for the Natural Resources Defense Council.

Former President Barack Obama campaigned on reinstating the Superfund tax, and his budget proposals placed 10-year revenues at \$23.5 billion, though it was never implemented. EPA even took the unusual step in 2010 of sending a letter to Congress urging them to reinstate it.

Sen. Bob Menendez and Rep. Frank Pallone of New Jersey — which is home to more Superfund sites than any other state — have repeatedly pushed legislation to revive the tax over the years to no avail. At a January Energy and Commerce Committee hearing, Pallone lamented the inaction on reinstituting the tax, saying "many endangered communities are being ignored, even as Administrator Pruitt declares the Superfund to be his top priority."

Industry groups oppose reviving the tax, and the American Petroleum Institute argues that the oil industry paid an outsize share into the original Superfund compared with its share of Superfund sites.

A 2008 Congressional Research Service report said that of the nearly \$9.2 billion that went into Superfund in the five years before the tax expired, more than 25 percent came from the petroleum tax, while 12 percent came from the chemical tax. The corporate tax contributed 28 percent. The remaining 35 percent came from congressional appropriations, reimbursements from polluters and interest generated by the trust fund.

Congress could consider tweaking the formula to include other industries, but the funding burden should remain on the polluters, not the taxpayers, said Mathy Stanislaus, the former EPA assistant administrator who oversaw the Superfund program under Obama.

"The bottom line question is whether Congress and this administration are going to make the decision of whether the taxpayers pay for the mismanagement of worst actors in whatever sector, or should it be the various sectors that are most associated with creating products that can be associated to Superfund sites?" Stanislaus said. "Congress ... has chosen to have the taxpayers pay versus those manufacturers."

Stanislaus also noted that the Trump administration in December reversed an Obama-era proposal under the Superfund law that would have required companies that mine gold, copper,

iron and other “hardrock” minerals to obtain financial assurance that they could clean up sites once done.

E&E Greenwire

<https://www.eenews.net/greenwire/stories/1060074289/search?keyword=EPA>

Pruitt, Zinke and Perry to address CPAC

By Kevin Bogardus, 2/20/18

Cabinet members versed in energy and the environment will appear this week at the Conservative Political Action Conference in National Harbor, Md.

Energy Secretary Rick Perry, Interior Secretary Ryan Zinke and U.S. EPA Administrator Scott Pruitt are listed on the annual politically right-leaning event's agenda for this week.

Pruitt is scheduled to speak at the Ronald Reagan Dinner on Friday night. He is slated to appear alongside Fox News host Judge Jeanine Pirro at the ticketed event.

Friday morning, Perry and Zinke are expected to appear together. The two Cabinet secretaries will be interviewed by former Rep. Bob Beauprez (R-Colo.).

All three have appeared at CPAC in the past, including during their earlier posts as elected officials.

One of Pruitt's first public events as EPA chief was his appearance at CPAC last year, where he promised an "aggressive" rollback of agency regulations (Climatewire, Feb. 27, 2017).

E&E Greenwire

<https://www.eenews.net/greenwire/stories/1060074419/search?keyword=EPA>

Pruitt's office cancels 'active shooter' drill

By Kevin Bogardus, 2/21/18

U.S. EPA Administrator Scott Pruitt's office has canceled an "active shooter" drill that had been scheduled at agency headquarters this afternoon.

Internal emails obtained by E&E News show EPA had planned and then backed off from holding the drill at the direction of Pruitt's office. EPA is now looking to reschedule the exercise.

"Hello, please be advised that the William Jefferson Clinton North Active Shooter Response Drill (ASRD) scheduled for tomorrow has been canceled at the direction of the Administrator's Office," said the email sent to employees yesterday.

"We appreciate the support from HQ staff and EPA law enforcement in planning for this drill. We are evaluating alternate dates and locations for scheduling another occupant-focused ASRD for EPA Headquarters in the near future."

EPA press officials didn't respond to questions about why the administrator's office canceled today's active shooter drill.

The drill was to be conducted at 3 p.m. on the fifth floor of the William Jefferson Clinton North Building, according to another email sent yesterday morning before it was canceled.

The drill's beginning and end would have been announced over EPA's public address system, and participants would have practiced their "run, hide, fight" training from the Department of Homeland Security in responding to a gunman on the loose. Law enforcement was also expected to be present for the drill.

"Loud noises associated with the drill, including simulated gunfire and shouting may be heard as part of the drill. Please avoid the area if you are not a participant," the email said.

EPA's cancellation of its active shooter drill comes as the country wrestles with the tragic aftermath of another mass shooting. Last week, 17 people, including students, were killed in a shooting at a Parkland, Fla., high school.

EPA also had its own recent scare with an active shooter, although reports of gunshots at the agency's headquarters turned out to be false.

This past August, several employees at EPA headquarters sheltered in place and police rushed to the scene when one worker called 911 after hearing what were thought to be gunshots, later suspected to be the sound of a door slamming shut. Agency officials vowed to learn from the incident while acknowledging it was upsetting for some employees (E&E News PM, Aug. 22, 2017).

The Hill

<http://thehill.com/policy/energy-environment/374633-former-epa-admin-regulation-rollbacks-legally-not-going-to-hold-up>

Obama EPA chief: Trump regulation rollbacks won't hold up legally

By Miranda Green, 2/20/18, 11:56 AM

Former EPA Administrator Gina McCarthy says that regulations struck down by the Trump administration simply because they were issued under President Obama won't carry weight in court.

McCarthy, who led the Environmental Protection Agency from 2013 to 2017, called the recent political targeting of regulations at the agency a "real problem."

"I think the important thing is none of them should be touched unless the administration has a real reason to touch them, other than it was done under the Obama administration, and that is the real problem that we see," McCarthy on Tuesday told BuzzFeed's morning livestream program, "AM to DM."

The former administrator, who has been an outspoken opponent of changes made under current EPA head Scott Pruitt, specifically mentioned the administration's desire to change the Clean Water Rule, also known as the Waters of the United States rule.

"We see the Clean Water Rule being proposed to be repealed, all that rule really did was do what the Supreme Court and what science told us to do to make sure we are protecting the rivers and streams that are necessary to ensure safe drinking water and fishable and swimmable waters," McCarthy said.

"That is being challenged just because the president told them to do that in an executive order. That's legally not going to hold up."

President Trump had made it a campaign trail promise to repeal the controversial 2015 Clean

Water Rule. He signed an executive order in February 2017 formally asking Pruitt to consider repealing the rule and replacing it with a more limited one.

Last June, the EPA made its first steps to repeal the Clean Water Rule, and last month Pruitt formally suspended the Obama-era rule for two years while the administration works on a replacement draft rule.

McCarthy also touched on another hot point in environmental regulations, the Clean Power Plan, which she called one of the Obama administration's "premiere" steps.

Under Obama, the rule was met with many hurdles and has yet to be implemented. Prior to Trump taking office, the rule was awaiting final word from a federal appeals court.

Repealing the plan was part of Trump's promise to eradicate Obama's environmental legacy.

In October, the EPA formally announced plans to scrap the Obama administration's signature climate change rule for power plants. Pruitt signed the plan saying the rule exceeds the agency's authority under the Clean Air Act.

"I don't understand the reason why they'd want to delay decision in the DC Circuit over that, that are charging the legality of the rule," McCarthy said of the EPA's delay tactic. "Let them play out. Let us see whether we did it right. I think we did and I think they will hold up under court even if this administration wants them to go away."

When asked about recent news that Administrator Pruitt flies all work-related trips in either business or first class, frequently racking up thousands of dollars in tax-payer expenses, McCarthy said she always flew coach.

"It was comfy for the people in my family, it's comfy for me and the people that I serve," she said. "It's perfectly appropriate and that's how we travelled because our job was to make sure we

were protecting public dollars as best we could and making sure that every public dollar we could was being spent on the real mission of the agency, not the luxury of the administrator who was leading it."

E&E Climatewire

<https://www.eenews.net/climatewire/stories/1060074339/search?keyword=EPA>

'I never imagined this would happen' — ex-EPA staffer

By Niina Heikkinen, 2/21/18

Former U.S. EPA staff members who worked on the Clean Power Plan are urging the Trump administration to back off its plans to kill the rule.

In public comments submitted yesterday, a volunteer group of retired and former agency staff called Save EPA said it should be up to a federal appeals court — not the Trump administration — to decide whether the Obama administration's signature climate regulation should proceed as originally written. The group includes ex-EPA staffers who helped craft that rule.

EPA is currently seeking comments on its proposed repeal of the Clean Power Plan. The agency is also in the process of developing a plan for a rule replacement.

Save EPA billed the repeal process as "an enormous waste of time," given that the U.S. Court of Appeals for the District of Columbia Circuit has already been fully briefed and heard legal arguments on the case in September 2016. The case has been on ice since, at the request of EPA, to allow the agency the opportunity to review the rule.

Save EPA's comments come as the agency prepares to host its second listening session today on repealing the rule. Today's session is slated for Kansas City, Mo., and another is planned for next Wednesday in San Francisco.

"We urge the EPA to halt this repeal action, to obtain a court decision in the CPP litigation and if the rule is upheld based on the strong legal arguments presented in court, to implement the CPP without further delay," the commenters wrote.

The Obama administration's rule faced fierce legal pushback for setting systemwide rather than facility-level regulations on carbon emissions. The current EPA administrator, Scott Pruitt, was among a cadre of state attorneys general to file lawsuits against implementation of the rule. The agency under Pruitt's leadership is widely expected to rewrite the regulations to focus on controlling emissions at the power plant level.

Today's listening session will focus on the prospect of repealing the rule and will mainly feature speakers from environmental and public health groups such as the Natural Resources Defense Council, the Sierra Club, GreenLatinos, Citizens' Climate Lobby, the American Lung Association and Moms Clean Air Force. Save EPA is planning on sending a representative to the fourth and final listening session in Gillette, Wyo., next month.

The Federal Register currently has over 17,000 public comments on the proposal, many of them also critical of a repeal.

Save EPA members slammed EPA for not adequately taking into account the impacts of climate change on the American public. They argue the Clean Power Plan as it was first written was an "appropriate way" to limit carbon emissions, considering the interconnectedness of the country's electricity system. They noted the agency's revised cost-benefit analysis significantly underestimated the costs associated with a warming planet. According to the agency's 2015 analysis, the rule would yield between \$31 billion and \$54 billion in benefits, and \$5.1 billion to \$8.4 billion in costs once the rule was fully implemented in 2030.

"They are taking away tools the EPA administrator would have to reduce emissions substantially. The tack they are taking legally means it will be possible only to get a small fraction of the emissions reductions from a new replacement rule than could be gotten from the

CPP. That's not the kind of position I'd hope an EPA administrator would take," said Jim Ketcham-Colwill, former EPA air policy analyst who helped to write the Clean Power Plan.

While Save EPA has focused on the negative impacts of allowing greater carbon emissions, other critics of the Clean Power Plan repeal have focused on how the rule could have helped to create renewable energy jobs if states chose to reduce their carbon emissions under the plan by turning to other energy sources.

Ashok Gupta, the senior energy economist at NRDC, wrote in a recent blog post that Midwest utilities are increasingly interested in cheap wind energy.

"In the Midwest, the trend is clear; the transition to clean energy is underway and will only intensify in the future. Having a strong national strategy to cut carbon pollution that provides states the flexibility to implement their own plans based on their resources is our best chance at fighting climate change and creating a path towards cleaner, cheaper and more reliable energy," Gupta wrote.

Ketcham-Colwill noted EPA had given a wide range of groups, including state energy regulatory agencies and governors' offices, ample opportunity to offer input on the climate rule.

"The agency got all kinds of plaudits that this was the most extensive stakeholder outreach process that the agency has perhaps ever done," said Ketcham-Colwill.

Ellen Kurlansky, another former air policy analyst at EPA who helped develop the Obama-era rule, said that in addition to public hearing and comments, a range of groups were involved in developing the rule from the very early stages until it was being finalized.

"People often want to talk to us and tell us what they think. We really had an open door," she said.

Kurlansky warned that delaying carbon emission reductions from power plants could have serious implications for rural and low-income Americans most impacted by climate change. For example, changing weather patterns, temperatures and season length can affect which crops are viable in specific parts of the country. Isolated communities could have a hard time getting aid in the event of climate-driven severe weather.

Meanwhile, low-income communities are often least able to financially prepare for or recover from environmental disasters. Many live in closer proximity to power plants and bear a higher brunt of the public health impacts. Indigenous communities also suffer from the loss of traditional cultural practices.

Kurlansky said she had not considered the prospect of a future administration seeking to undo the rule while she was working on it.

"I never imagined this would happen, it's really sad to see," she said.

E&E News PM

<https://www.eenews.net/eenewspm/stories/1060074317/search?keyword=EPA>

Justices pass on challenges to EPA's Clean Water Act power

By Amanda Reilly, 2/20/18

The Supreme Court won't revive a pair of lawsuits challenging U.S. EPA's authority under the Clean Water Act. Justices today passed on taking up cases related to stormwater policies and permits for water reclamation plants.

As with a recent litigation over the Obama-era Clean Water Rule, the Supreme Court petitions centered on the correct legal venue to bring lawsuits. In both instances, a lower court tossed out the suit after finding it did not have jurisdiction.

At issue in the stormwater case were EPA policies guiding whether cities may dilute stormwater before discharging it into rivers and streams, and the treatment of wastewater during heavy rains.

The 8th U.S. Circuit Court of Appeals in 2013 found EPA illegally created rules in letters to Sen. Chuck Grassley (R-Iowa), instead of going through the formal rulemaking process.

EPA, though, continued to apply the policies on a case-by-case basis everywhere but the 8th Circuit, which runs down the center of the country from North Dakota to Arkansas.

The Center for Regulatory Reasonableness, which represents municipalities and industrial entities, filed suit in the U.S. Court of Appeals for the District of Columbia Circuit to halt the disputed policies nationwide.

The group specifically challenged a pair of 2014 letters to industry associations in which EPA conveyed how it would respond to the 8th Circuit decision.

But a three-judge panel of the D.C. Circuit tossed out the case last year after finding the group should have brought its challenge to federal district court — not the appeals court — under the Clean Water Act (Greenwire, Feb. 28, 2017).

The Supreme Court issued a similar decision in the Clean Water Rule litigation, rebuffing the federal government's arguments that litigation belonged in appeals courts.

The Clean Water Act routes challenges to effluent limitations, other limitations and permitting decisions to appeals courts; other cases go to district courts (Greenwire, Jan. 22).

In its petition to the Supreme Court, the Center for Regulatory Reasonableness argued the D.C. Circuit's decision has "powerful consequences" for the 43 states outside the 8th Circuit.

EPA is "free to impose even vacated" water permitting modifications, "with little fear of the immediate judicial review," the petition said.

The Justice Department had urged the court to decline the case. Government attorneys said the D.C. Circuit correctly concluded EPA's letters interpreting the 8th Circuit decision weren't actions that could be challenged in appeals court under the Clean Water Act.

Challenging the 'puppet master'

At issue in the second case was a Southern California Alliance of Publicly Owned Treatment Works (SCAP) suit challenging EPA's objections to state-issued permits for two water reclamation plants in El Monte and Pomona, Calif.

EPA in 2014 sent a formal objection letter to the Los Angeles Regional Water Quality Control Board threatening to veto the permits. The agency said the approvals, which the Los Angeles board later modified, didn't include necessary daily and monthly limits.

But the alliance argued that EPA used the objection letter to create new rules about permitting without formal notice and comment.

The 9th U.S. Circuit Court of Appeals, however, ruled that it couldn't hear the case because the letter in question was just an "interim step in a complex statutory scheme" and not subject to review by federal court. The 9th Circuit directed the alliance to pursue its case either administratively or in a state court.

The alliance appealed, arguing that the court failed to differentiate between EPA's objections to the permit and the permit itself.

"U.S. EPA continues to use its objection powers to unlawfully push states to adopt measures beyond the requirements of federal regulations," SCAP said. "The 9th Circuit's decision ... relegated SCAP to challenging the puppet, when SCAP seeks to directly challenge the actions of the puppet master."

The Justice Department asked the Supreme Court to pass on the case. DOJ said the EPA letter in question did not set out any binding effluent limitations.

Other cases

At their weekly conference Friday, justices are scheduled to consider a third Clean Water Act petition asking them to overturn a decision that reinstated EPA's contentious "water transfers" rule. They could announce whether they're taking up that case early next week (Greenwire, Sept. 21, 2017).

Along with the water disputes, the Supreme Court today also declined a handful of other environment- and energy-related cases.

Justices won't review a lower court's split decision that North Carolina lacked sovereign control over 45 miles of riverbed where Alcoa Power Generating Inc. had built and operated four hydroelectric dams.

The Tar Heel State argued the company had illegally continued to use the Yadkin River for hydroelectric plants without permission after shuttering an aluminum smelting plant that drew power from the dams (Greenwire, Nov. 15, 2017).

Greens' efforts to halt a hydroelectric project in North Carolina likewise dead-ended. American Rivers and the city of Rockingham had challenged the Federal Energy Regulatory Commission's approval of a license for Duke Energy Progress' Tillery development on the Yadkin and Pee Dee rivers (Greenwire, Jan. 12).

The court also won't hear claims by a group of plaintiffs who allege they developed cancer after being exposed to radiation emissions at Nuclear Materials and Equipment Corp.'s facility in Apollo, Pa. The site processed uranium and provided enriched uranium for naval reactors from the 1950s to the early 1980s.

The Hill

<http://thehill.com/policy/energy-environment/374824-hundreds-of-mayors-come-together-to-oppose-trump-reversal-of-obama>

Hundreds of mayors unite against Trump reversal of Obama-era climate plan

By John Bowden, 2/21/18, 9:46 AM

Hundreds of mayors representing cities in 47 states and territories have signed a letter opposing the Trump administration's move to roll back the Obama administration's Clean Power Plan (CPP).

In a letter addressed to Environmental Protection Agency (EPA) chief Scott Pruitt, 236 U.S. mayors wrote that the Trump administration's attempt to roll back the environmental restrictions would have "devastating health and economic impacts on their communities."

"We strongly oppose the proposed repeal of the Clean Power Plan, which would put our citizens at risk and harm our efforts to address the urgent threat of climate change," the letter to Pruitt reads.

"The legal authority of cities and other municipalities generally extends only as far as their state governments and federal law allow, and as a result, our local efforts to address climate change

are highly sensitive to national policies like the Clean Power Plan, which shape markets, steer state action, and have large direct impacts on nationwide emissions," it continues.

The EPA has been considering a plan to repeal the Clean Power Plan, the centerpiece of former President Obama's environmental agenda, since at least October.

"The Obama administration pushed the bounds of their authority so far with the CPP that the Supreme Court issued a historic stay of the rule, preventing its devastating effects to be imposed on the American people while the rule is being challenged in court," Pruitt said in a statement last year.

"We are committed to righting the wrongs of the Obama administration by cleaning the regulatory slate. Any replacement rule will be done carefully, properly, and with humility, by listening to all those affected by the rule."

The final version of the CPP was unveiled in 2015, and aimed to reduce carbon dioxide emissions from electrical power generation by 32 percent by 2030. President Trump signed an executive order last March ordering the EPA to review the rule for a possible repeal.

E&E Greenwire

<https://www.eenews.net/greenwire/stories/1060074297/search?keyword=EPA>

OMB greenlights bid to scrap Obama oil and gas guidelines

By Sean Reilly and Niina Heikkinen, 2/20/18

The White House Office of Management and Budget has cleared U.S. EPA's proposal to scrap

pollution-reduction guidelines for existing oil and gas operations, setting the stage for the rollback of another piece of the Obama administration's environmental agenda.

OMB's Office of Information and Regulatory Affairs finished a standard interagency review of the proposed withdrawal notice for the "control techniques guidelines" on Friday, according to the Reginfo.gov website. Once the notice is signed, EPA will put the proposal out for public comment, an agency spokeswoman said in an email today.

The guidelines, issued in October 2016, were a key part of EPA's strategy then for reducing emissions of volatile organic compounds (VOCs) from existing oil and gas facilities. In sunshine, VOCs react with nitrogen oxides to form ozone, a lung irritant that is the main ingredient in smog.

Although not a regulation, the guidelines are technical recommendations for states to consider for areas deemed in "moderate" nonattainment or worse for EPA's 2008 ozone standard of 75 parts per billion. They also apply in the Ozone Transport Region, which encompasses 11 Northeastern states, the District of Columbia and Northern Virginia.

"It is addressing sources that you wouldn't otherwise get at from ozone regulation," Joanne Spalding, senior managing attorney at the Sierra Club, said in a recent interview.

States can use "reasonable cost" technological fixes to control the pollutants, such as replacing high-bleed pneumatic controllers with low-bleed controllers. At the time, EPA billed the recommendations as a way to also reduce emissions of methane, a potent greenhouse gas, and save the industry money in lost product.

While EPA officials have so far not formally laid out their rationale for now seeking the guidelines' repeal, that step would mesh with the Trump administration's goal of easing requirements that would be seen as hindering domestic energy production (Greenwire, Dec. 15, 2017). The oil and gas industry, citing the potential price tag for smaller producers, had opposed the guidelines' adoption.

The guidelines — often known by their acronym, CTGs — were released as part of an Obama-era suite of requirements aimed at controlling a range of pollutants from the oil and gas industry. This included landmark regulations to reduce methane releases from new and modified sources, according to Spalding.

EPA Administrator Scott Pruitt's decision to withdraw the CTGs comes on the heels of efforts to roll back or delay parts of those methane regulations. EPA plans to release a notice of proposed rulemaking on changes to the new source rule in August and anticipates the release of a final rule in 2019.

EPA had sent the proposed notice of withdrawal of the control techniques guidelines to OMB in mid-December (Greenwire, Dec. 18, 2017).

E&E Greenwire

<https://www.eenews.net/greenwire/stories/1060074295/search?keyword=EPA>

Judges hear arguments over 2 EPA listing decisions

By Amanda Reilly, 2/20/18

An appeals court today considered U.S. EPA decisions to add sites to a list of the nation's most contaminated areas, including a large mining district that contains the Gold King abandoned mine.

EPA put the Bonita Peak Mining District and nine other sites on its national priorities list of Superfund sites in September 2016.

Sunnyside Gold Corp. has filed a lawsuit challenging EPA's decision to list the mining district. In a separate suit, a pair of companies argue that the agency broke the law in adding the site of a former dry cleaner and auto shop in Indiana.

The U.S. Court of Appeals for the District of Columbia Circuit today heard back-to-back arguments in the cases.

While not directly related, the 2015 Gold King abandoned mine rupture is part and parcel of the Bonita Peak Mining District challenge.

In August of that year, EPA contractors accidentally triggered the rupture at the Gold King site, sending 3 million gallons of toxin-laced water into the Animas and San Juan rivers, which then flowed through a corner of New Mexico into Utah.

A little more than a year later, EPA added the abandoned mine to its national priorities list as part of the larger 100,000-acre Bonita Peak Mining District. The larger district has been a "hotbed of hardrock mining activity for gold, silver, lead and copper" since the 1870s, according to EPA, and includes three drainage areas that converge in the Animas River.

Sunnyside Gold Corp., which operates the Sunnyside mine, sued. The company argues that EPA — faced with lawsuits and recrimination over the 2015 rupture — issued an "overly broad listing" that sets a "terrible precedent."

The company says EPA failed to evaluate all the sources within the mining district — including Sunnyside mine and other sites it owns — under the Hazard Ranking System. EPA used the system to score only 19 of the individual contamination sources within the Bonita Peak Mining District; the site includes another 27 sources that weren't scored.

"If you're going to put property on the [national priorities list], you need to score it," Neil Westesen, an attorney representing Sunnyside, argued today in the courtroom.

He added that the owners of nonscored properties would potentially be faced with steep cleanup costs under the national Superfund law.

Sunnyside says it's already spent more than \$15 million remediating multiple locations within the mining district. It installed bulkheads in tunnels of the Sunnyside Mine network, including one in a tunnel that connected Sunnyside Mine to the Gold King abandoned mine. New Mexico and the Navajo Nation both named Sunnyside as a plaintiff in their litigation over the 2015 blowout, but the company says it's not responsible for the incident in any way.

For its part, EPA argues it was not required to score all the pollution sources within the broader mining district. It says that the 19 sites it chose to score were representative of the mining operations in the area and that acid mine drainage from all the sources within the district "commingled" as it flowed into waterways.

The mining district is a "single site" encompassing multiple sources, said Meghan Greenfield, a Justice Department attorney representing EPA.

She warned of the consequences of the court ordering EPA to "nitpick" each individual source within a larger site.

At an industrial site, Greenfield said, "their approach would have EPA score every barrel of leaking substances."

In court documents, EPA also says it did not separately evaluate the 2015 blowout at the mine in its decision to list the Bonita Peak Mining District. The agency says it would have placed the district on the national priorities list regardless of the incident.

At today's arguments, Judge Harry Edwards, a Carter appointee, said EPA's approach appeared to be "consistent" with the regulations guiding the use of the Hazard Ranking System. He said Sunnyside was "conflating" the terms "source" and "site" in EPA's regulations.

"The regulation absolutely distinguishes between a site and a source," he said.

Senior Judge Douglas Ginsburg, a Reagan appointee, also appeared at times to side with EPA, saying the Sunnyside mine wasn't completely mitigated despite the company's efforts.

He expressed some concern, though, about the practical consequences of the listing.

A listing on the national priorities list is akin to a "roach motel" in which a company gets caught up in the system and doesn't come out, Ginsburg said.

Indiana site

EPA is facing a separate lawsuit over its September 2016 decision to place an industrial site in Indiana on the national priorities list.

But while the case involves the same topic, it raises different legal issues.

At issue is the West Vermont Drinking Water Contamination site in Marion County, Ind. At the site, a former dry cleaner discharged wastewater containing perchloroethylene into a leaky sewer system that then migrated into groundwater, according to court documents. A carburetor and brake remanufacturing facility operated between 1956 and 1973 also contributed to contamination.

EPA based its decision on findings that aquifers within 2 miles of the sites are "interconnected" and that municipal well fields 4 miles away could be affected by contamination.

Aimco Michigan Meadows Holding LLC, which was formed in 1999 to acquire the apartment and shopping center on the site, and Genuine Parts, the successor to the car repair shop,

challenged the listing under administrative law.

Catherine Stetson, an attorney representing the companies, today argued that EPA made a "fundamental" failure by not responding to comments and studies contained in the record, including evidence showing a "confining layer" of clay or till that prevented contamination from reaching water supplies.

She also argued that EPA neglected to pay heed to the direction of groundwater flows.

"Groundwater flows away from the well fields that are of interest to EPA," Stetson said.

Edwards said he had some issues with EPA's analysis.

"It isn't clear to me that the agency has given substantial evidence in this record with respect to hydrologic interconnection," Edwards said, adding, "You're assuming it all the way through, and I don't see it."

InsideEPA

<https://insideepa.com/daily-news/epa-names-chemical-company-lawyer-waste-offices-deputy-slot>

EPA Names Chemical Company Lawyer To Waste Office's Deputy Slot

2/21/18

EPA has named Steven Cook, corporate counsel for one of the world's largest plastics and chemical companies, to be the deputy assistant administrator in the agency's waste office, making him the highest-ranking political official in the office even as a long-time confidante to Administrator Scott Pruitt continues to lead the office's high-profile Superfund reform effort.

Cook, who served as in-house senior counsel for LyondellBasell, started as deputy assistant administrator for the Office of Land & Emergency Management (OLEM) Feb. 20, according to an email sent to staff from Principal Deputy Assistant Administrator Barry Breen. The slot does not require Senate confirmation.

Breen, a long-time career official, has effectively been heading the office in the absence of a political appointee at OLEM, since the Trump administration took office. Typically, a career official occupies the position of principal deputy assistant administrator, while the deputy assistant administrator is a political appointee.

Patrick Davis, President Donald Trump's Colorado campaign director, filled the deputy slot for part of 2017.

And Albert Kelly, a controversial former Oklahoma banker who has known Pruitt for years, has been leading the administrator's Superfund reform push.

While Cook will bring an industry perspective to the office, it is unclear if he will be able to address industry concerns that Pruitt is adopting costly excavation remedies at some Superfund sites.

In addition to his role at LyondellBasell, Cook also served as vice chair of the board of directors of the Corporate Environmental Enforcement Council (CEEC), a cross-industry coalition whose members include a host of major energy, chemical, aerospace, transportation, pharmaceutical, food processing and transportation companies.

Of the more recent public comments filed by CEEC are comments submitted in 2016 on EPA's proposed Risk Management Programs rule for preventing accidental chemical releases, a

measure that Pruitt is now seeking to withdraw.

In its comments, CEEC strongly criticized the Obama administration's proposed version of the rule, including its call for third-party audits and EPA's failure to coordinate the rulemaking with other agencies.

According to LyondellBasell's website, the company is one of the largest plastics, chemical and refining companies in the world. It is the leading producer of oxyfuels in the world, and is the top producer in North America and Europe of polypropylene, its website says.

Cook holds both a law degree and chemical engineering degree from Brigham Young University, as well as a masters of business administration degree from the University of Texas at Austin, according to his LinkedIn profile.

E&E News PM

<https://www.eenews.net/eenewspm/stories/1060074319/search?keyword=EPA>

'Lean' training this spring — operations chief

By Kevin Bogardus, 2/20/18

Training in U.S. EPA's streamlined management techniques will begin soon, the agency's No. 3 official said in an internal email to employees today obtained by E&E News.

Assistant Deputy Administrator Henry Darwin wrote that "deployment training" for EPA's "Lean" management system for teams of agency employees is happening this spring. It comes as the agency looks to boost employee engagement.

Darwin noted in his email that while engagement has increased in the Federal Employee Viewpoint Survey, which polls government workers' morale and commitment to their jobs, EPA still ranks in the bottom half of large federal agencies.

Darwin cites a speaker at last month's conference for senior leaders — John Kamensky, a senior fellow with the IBM Center for the Business of Government — who said engagement goes up when employees have latitude to improve their jobs, the training to accomplish that goal and good communication with their bosses.

"Through [Lean management], EPA will achieve these three elements of engagement," said Darwin. "Weekly huddle meetings around visual management boards will provide teams — staff and management alike — the means to see how work is flowing and to identify ways of improving the work process.

"[Lean] deployment training for teams across the agency will begin this spring, and coaching will always be available to help with the new approaches," he said.

In addition, managers are expected to check in with their subordinates every day to boost communication and resolve issues, said Darwin.

"Finally, our expectations of agency managers will include short, daily, one-on-one check-ins with staff members to increase communication and, as always, solve small problems before they become big problems," Darwin said, concluding, "I realize that the work we've done so far feels top down, but that will soon change. Thank you in advance for joining me on this journey."

The Lean system is essentially the foundation for EPA's "reform plan" to streamline operations, which was called for under an executive order signed by President Trump last year.

The agency has also set up a steering committee of career officials and political appointees,

which Darwin has tasked with drafting a vision for EPA (Greenwire, Feb. 6).

E&E Greenwire

<https://www.eenews.net/greenwire/stories/1060074393/search?keyword=EPA>

IG to examine emergency-response gear

By Kevin Bogardus, 2/21/18

U.S. EPA's inspector general plans to take stock of equipment used to respond to natural disasters and terrorist attacks.

In a notice dated yesterday, the internal agency watchdog said it plans to begin "preliminary research" on how EPA manages equipment used in counterterrorism activities and emergency response.

"The OIG's objective is to determine whether the EPA has the needed and required counter terrorism and emergency response equipment and whether the equipment is efficiently managed, tracked and available for potential counter terrorism or emergency response incidents," said the notice signed by Michael Davis, director of the Efficiency Directorate in the IG's Office of Audit and Evaluation.

The IG initiated the project on its own and plans to work in several program offices, including the Office of Land and Emergency Management and the Office of Homeland Security, as well as regional branches for the agency.

The watchdog also asked for many documents, such as a list of all such equipment as well as any

interagency agreements related to the buying and management of the equipment.

The probe comes after last year's devastating hurricane season, which saw EPA respond to major storms in Texas, Florida and Puerto Rico.

As part of its emergency-response function, EPA works on oil spills, chemical and radiological accidents or attacks, as well as natural disasters. Some of the agency's equipment for the job includes aircraft to detect chemical and radiological leaks and a mobile laboratory, as well as protective gear like hazmat suits.

AP

<https://apnews.com/5cbce7f863594d0a96b2d4848c548566/Oil-spill-cleanup-underway-in-suburban-Oklahoma-City>

Oil spill cleanup underway in suburban Oklahoma City

2/20/18

YUKON, Okla. (AP) — A spokesman for the Environmental Protection Agency says cleanup is underway in suburban Oklahoma City where about 2,000 barrels of oil spilled from a ruptured pipeline.

EPA on-scene coordinator Mike McAteer said Tuesday workers are skimming oil off the surface of a 7-acre pond near a neighborhood outside Yukon, about 17 miles (27 kilometers) west of Oklahoma City.

McAteer says oil bubbled into the pond early Sunday from a pipeline operated by Centurion

Pipeline L.P. He says crews will tunnel beneath the pond to inspect the ruptured pipeline and prevent further releases.

McAteer says cleanup efforts have been slowed by rain and sub-freezing temperatures in the area.

Centurion spokesman Eric Moses says the company is making progress “and will continue to work safely and efficiently until our work is complete.”

Reuters

<https://www.reuters.com/article/us-missouri-lawsuit/missouri-residents-sue-over-radioactive-material-storage-sites-idUSKCN1G50AZ>

Missouri residents sue over radioactive material storage sites

2/20/18, 11:09 PM

(Reuters) - Residents living near landfill sites in the St. Louis area where radioactive waste has been stored filed lawsuits on Tuesday seeking compensation, claiming negligence in handling materials they said were some of the most dangerous on Earth.

Two lawsuits seeking class action status were filed at St. Louis County court for sites that included the West Lake Landfill in Bridgeton, Missouri, and an area near the Coldwater Creek in the county.

Among the 10 defendants are Republic Services, Exelon Corp and the Cotter Corp. Officials from those companies were not immediately available for comment.

“Defendants treated these hazardous, toxic, carcinogenic, radioactive wastes with about the same level of care that a reasonable person might give to common household garbage, dumping it without authority from the State of Missouri and in violation of law,” the lawsuits contend.

The suits did not state an amount being sought by the plaintiffs.

The history of nuclear waste in the St. Louis area dates back to the U.S. atomic bomb program from World War Two and spans an array of nuclear processing facilities, storage sites, material transfers and suspected leaks along the way.

The U.S. Environmental Protection Agency has deemed some of the St. Louis-area places that were a part of that history “Superfund” sites, placing them among highly polluted areas that are a national priority for clean-up.

The West Lake site, originally used for agriculture, became a limestone quarry in 1939. But starting in the 1950s, portions of the area were used to dispose of municipal refuse, industrial wastes and construction debris, the EPA said.

In 1973, some 8,700 tons of leached radioactive barium sulfate from the Manhattan Project, the World War Two-era atomic bomb-development program, were mixed with 38,000 tons of soil used to cover trash dumped at the site, according to the EPA.

In 1990, the landfill and neighboring waste-disposal facilities occupying a total of 200 acres (80 hectares) were designated by the EPA as a single Superfund site.

E&E Energywire

<https://www.eenews.net/energywire/stories/1060074323/search?keyword=EPA>

IG report discounted Tar Creek Superfund fraud claims

By Mike Soraghan, 2/21/18

An investigation by U.S. EPA's watchdog agency in 2013 discounted allegations of fraud at the Tar Creek Superfund site in 2013.

The findings of EPA's inspector general run counter to those of Oklahoma State Auditor Gary Jones, who says his audit found criminal violations at the site.

But they track with the decision of then-Oklahoma Attorney General Scott Pruitt, who declined to bring charges after receiving Jones' audit.

"This investigation revealed no evidence to support any allegations by the complainants," states the EPA IG report, first reported by the newspaper Tulsa World.

Pruitt, now EPA administrator, and his replacement, Mike Hunter, kept the audit secret. So it is not clear how similar the investigations might have been.

Daniel Stevens, who heads a group suing to get the audit made public, said people should be able to compare the two reports.

"It sure seems like Pruitt and his allies are worried about the conclusions contained in the state auditor's report," said Stevens, executive director of Campaign for Accountability. "Pruitt should be held accountable for how he responded to the findings of his own state's auditor."

A hearing in the case has been set for Friday in Oklahoma County District Court.

Tar Creek is a 40-square-mile site in the far northeastern corner of Oklahoma where land and water were contaminated by decades of lead and zinc mining that ended in the 1950s. In the early 1980s, EPA deemed it the most contaminated site in the country.

As part of the cleanup, the federal government provided money in 2009 to buy out homeowners and demolish the homes. The work was overseen by a board of prominent residents called the Lead-Impacted Communities Relocation Assistance Trust.

But companies that sought demolition work complained that contracts were being unfairly steered to companies favored by board members. Jones has said his audit showed the government paid six times more than needed.

The investigation by EPA's IG was prompted by a federal whistleblower lawsuit filed in 2012. The suit alleged the trust board and contractors tapped into a "good ole boy network" and hatched a "sophisticated conspiracy" to rig bids and pay for work that was not done.

But the IG report says there were valid explanations for what the whistleblower suit called violations.

For example, the suit alleged that one of the contractors billed for demolition of the Picher, Okla., house where baseball slugger Mickey Mantle got married in 1951, even though the house is still standing at a location in the nearby town of Commerce. The IG report said after the house was moved that the contractor still had to clear debris and other items from the site, and deserved to be paid.

The redacted IG report is available on EPA's Freedom of Information Act release website. It was requested in 2015 by former trust chairman Mark Osborn.

Several entities, including E&E News, have requested Jones' Tar Creek audit and related documents. The requests have been rejected. Campaign for Accountability sued in November.

Hunter, the attorney general, is fighting the suit, citing grand jury secrecy (Energywire, Jan. 19). But Jones, the state auditor, responded by seeking a court order to release the audit. Jones has also said Pruitt "acted improperly" when, as attorney general, he sent a copy of the audit to the attorney for the trust.

Hunter's office filed a pleading last week countering some of Jones' claims and asserting that the audit is "shot full" of grand jury evidence.

To: Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Bowman, Liz
Sent: Thur 1/4/2018 3:10:43 AM
Subject: Re: Request for Interview - Albert "Kell" Kelly

Ex. 5 - Deliberative Process

Sent from my iPhone

On Jan 3, 2018, at 8:04 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Ex. 5 - Deliberative Process

Sent from my iPhone

Begin forwarded message:

From: "Lynn, Tricia" <lynn.tricia@epa.gov>
Date: January 3, 2018 at 12:21:38 PM EST
To: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Subject: FW: Request for Interview - Albert "Kell" Kelly

FYI, one of the reporters (Mike Soraghan/E & E news) is pinging about the interview he requested with Kell Kelly. Anything I can share with him?

Thanks!

From: Mike Soraghan [mailto:[Ex. 6 - Personal Privacy](#)]
Sent: Wednesday, January 03, 2018 12:08 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: Request for Interview - Albert "Kell" Kelly

Thanks.

Mike Soraghan

E&E News reporter

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy (office and mobile)

Ex. 6 - Personal Privacy

E&E NEWS

122 C Street NW 7th Floor Washington, DC 20001

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

From: Jones, Enesta [<mailto:Jones.Enesta@epa.gov>]

Sent: Wednesday, January 03, 2018 12:07 PM

To: Mike Soraghan <**Ex. 6 - Personal Privacy**>

Cc: Lynn, Tricia <lynn.tricia@epa.gov>

Subject: Re: Request for Interview - Albert "Kell" Kelly

Hi Mike, Tricia is in and will help you.

On Jan 3, 2018, at 12:04 PM, Mike Soraghan <**Ex. 6 - Personal Privacy**> wrote:

Hi and Happy New Year. Any update on the status of this?

Mike Soraghan

E&E News reporter

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy (office and mobile)

Ex. 6 - Personal Privacy

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

From: Jones, Enesta [<mailto:Jones.Enesta@epa.gov>]
Sent: Wednesday, December 20, 2017 2:10 PM
To: Mike Soraghan <Ex. 6 - Personal Privacy >
Cc: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: Request for Interview - Albert "Kell" Kelly

No problem. We like to let reporters know we have not forgotten about them.

Happy Holidays!

From: Mike Soraghan [[mailto:](#) Ex. 6 - Personal Privacy]
Sent: Wednesday, December 20, 2017 2:03 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: RE: Request for Interview - Albert "Kell" Kelly

Yes. I appreciate you staying on it. Thanks

Mike Soraghan

E&E News reporter

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy (office and mobile)

Ex. 6 - Personal Privacy

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]

Sent: Wednesday, December 20, 2017 2:00 PM

To: Mike Soraghan <Ex. 6 - Personal Privacy>

Cc: Lynn, Tricia <lynn.tricia@epa.gov>

Subject: RE: Request for Interview - Albert "Kell" Kelly

Great, thanks. With the holidays and people being out, it's good to know you are flex.

From: Mike Soraghan [mailto:Ex. 6 - Personal Privacy]

Sent: Wednesday, December 20, 2017 1:57 PM

To: Jones, Enesta <Jones.Enesta@epa.gov>

Cc: Lynn, Tricia <lynn.tricia@epa.gov>

Subject: RE: Request for Interview - Albert "Kell" Kelly

Hi. I am still seeking an interview and I would prefer to do it in person or on the phone. I have some flexibility on time, since we don't publish between Christmas and New

Year's. My questions are basically the same as what I'd sent to Ms. Lynn. I think they're part of this thread. Thanks for your help.

Mike Soraghan

E&E News reporter

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy office and mobile)

Ex. 6 - Personal Privacy

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

From: Jones, Enesta [<mailto:Jones.Enesta@epa.gov>]

Sent: Wednesday, December 20, 2017 1:52 PM

To: Mike Soraghan <Ex. 6 - Personal Privacy>

Cc: Lynn, Tricia <lynn.tricia@epa.gov>

Subject: Re: Request for Interview - Albert "Kell" Kelly

Hi Mike, are you still seeking an interview? If it's not possible, would you accept written responses? That said, can you provide specific questions — as well as the absolute latest you can wait for us to be responsive?

Thanks,

Enesta

On Dec 7, 2017, at 3:31 PM, Mike Soraghan <Ex. 6 - Personal Privacy> wrote:

Great. Thank you. Please stay in touch.

From: "Lynn, Tricia" <lynn.tricia@epa.gov>
Date: Thu Dec 07 14:33:48 EST 2017
To: "Mike Soraghan" <Ex. 6 - Personal Privacy>
Cc: "Jones, Enesta" <Jones.Enesta@epa.gov>
Subject: RE: Request for Interview - Albert "Kell" Kelly

Hi Mike—

I wanted to let you know that I haven't forgotten about you, but that we haven't yet been able to schedule with Mr. Kelly. I'm out of the office tomorrow, but my colleague, Enesta Jones, will keep an eye out in case an opportunity arises. Otherwise I'll be back in touch when we're able to schedule.

Best,

Tricia

From: Mike Soraghan [mailto:Ex. 6 - Personal Privacy]
Sent: Monday, December 04, 2017 11:44 AM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: Request for Interview - Albert "Kell" Kelly

OK. Thank you. Please stay in touch.

Mike Soraghan

E&E News reporter

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy (office and mobile)

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

From: Lynn, Tricia [<mailto:lynn.tricia@epa.gov>]
Sent: Monday, December 04, 2017 11:09 AM
To: Mike Soraghan <[Ex. 6 - Personal Privacy](#)>
Subject: RE: Request for Interview - Albert "Kell" Kelly

Thanks Mike. Unfortunately he had to leave earlier than expected today for a meeting, but I'll check on later in the week.

From: Mike Soraghan [[mailto:](#) [Ex. 6 - Personal Privacy](#)]
Sent: Friday, December 01, 2017 10:35 AM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: Re: Request for Interview - Albert "Kell" Kelly

Hi. Thanks for getting back. I am wide open Monday. I'm traveling Tuesday. From Wednesday to Friday I will be in DC, with scattered appointments. Please let me know what would work best.

Mike Soraghan

Reporter

E&E News - EnergyWire

Ex. 6 - Personal Privacy

Sent from my iPhone

On Dec 1, 2017, at 9:54 AM, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

Mike—

We're still working on this as he's been travelling quite a bit. We can't promise Monday (12/4), but what sort of flexibility do you have for then?

Thanks so much,

Tricia

From: Mike Soraghan [<mailto:> Ex. 6 - Personal Privacy]
Sent: Tuesday, November 28, 2017 12:07 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: Request for Interview - Albert "Kell" Kelly

Great. Thank you.

Mike Soraghan

E&E News reporter

Ex. 6 - Personal Privacy

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From: Lynn, Tricia [<mailto:lynn.tricia@epa.gov>]
Sent: Tuesday, November 28, 2017 12:04 PM
To: Mike Soraghan <[Ex. 6 - Personal Privacy](#)>
Subject: RE: Request for Interview - Albert "Kell" Kelly

We were just talking about it this morning. Give me a bit of time and I'll see what I can find out from the person who'd be scheduling it.

From: Mike Soraghan [[mailto:](#) [Ex. 6 - Personal Privacy](#)]
Sent: Tuesday, November 28, 2017 11:54 AM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: Request for Interview - Albert "Kell" Kelly

Hi. Thought I'd do a post-holiday check-in. Any luck with this?

Thanks,

Mike Soraghan

E&E News reporter

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy (office and mobile)

Ex. 6 - Personal Privacy

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

From: Lynn, Tricia [<mailto:lynn.tricia@epa.gov>]

Sent: Wednesday, November 15, 2017 8:45 AM

To: Mike Soraghan <Ex. 6 - Personal Privacy>

Subject: RE: Request for Interview - Albert "Kell" Kelly

Thanks Mike. I'll be in touch soon with next steps.

Best,

Tricia

From: Mike Soraghan [<mailto:Ex. 6 - Personal Privacy>]

Sent: Tuesday, November 14, 2017 10:45 AM

To: Lynn, Tricia <lynn.tricia@epa.gov>

Subject: RE: Request for Interview - Albert "Kell" Kelly

Hi. Here are some questions. Also, it would be great to talk with Mr. Kelly in person, even if the interview is still brief. I work remotely, but I could be in DC on relatively short notice. My hard deadline is COB Dec. 8.

How does a banker from eastern Oklahoma wind up leading efforts on Superfund?

How has having several contaminated sites in your hometown impacted your perspective on Superfund?

How involved have you been with the Superfund site and contaminated sites in Bristow?

Since taking this position, have you visited the Wilcox site, Kwikset or the other sites, or talked with people around the sites?

What is your role with Superfund now that the streamlining report is complete?

How many sites have you visited?

What are you learning from giving out your cellphone number?

From your task force's recommendations, the "Top 10 list" has gotten the most attention. Is that the most important recommendation? If not, what are we missing?

Oklahoma's Tar Creek site is well known for the Picher-Cardin buyout. Did your task force look at any changes to the policies on buy-outs?

Thanks for your help,

Mike Soraghan

E&E News reporter

Ex. 6 - Personal Privacy

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

From: Lynn, Tricia [<mailto:lynn.tricia@epa.gov>]

Sent: Monday, November 13, 2017 4:07 PM

To: Mike Soraghan <[Ex. 6 - Personal Privacy](#)>

Subject: RE: Request for Interview - Albert "Kell" Kelly

Hi Mike—

Liz passed on your inquiry, and I'm happy to try and help set up an interview. To begin I'll need a list of your specific questions and your hard deadline. Can you please send those at your earliest convenience?

Thanks so much,

Tricia

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

From: Mike Soraghan [mailto:[Ex. 6 - Personal Privacy](#)]
Sent: Monday, November 13, 2017 3:41 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Request for Interview - Albert "Kell" Kelly

Ms. Bowman,

Hi. I've been working for some time on a story about Superfund sites in Oklahoma. I'm writing to request an interview with Mr. Albert "Kell" Kelly. Since he is from Oklahoma and is heading up the administrator's Superfund streamlining efforts, he seemed like a good person to talk to for this story. I also know his hometown has several contaminated sites and at least one Superfund site. So he has some practical experience that others might not have, and that's an angle I'm intending to look at.

I can be reached at this email or at [Ex. 6 - Personal Privacy](#). Thank you for any assistance you can provide.

Thank you,

Mike Soraghan

E&E News reporter

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy (office and mobile)

Ex. 6 - Personal Privacy

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bowman, Liz
Sent: Thur 12/7/2017 1:44:30 AM
Subject: Re: The Environmental Scandal in Scott Pruitt's Backyard - POLITICO Magazine

This is the first time I have really heard about this article/issue in any detail.

Sent from my iPhone

> On Dec 6, 2017, at 7:27 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

>

>

> <https://www.politico.com/magazine/story/2017/12/06/scott-pruitt-tar-creek-oklahoma-investigation-215854>

>

> I wished I'd commented in this. This is complete contrived nonsense, and the dishonest writer knows it. The only contracts contested were the demolition contracts to bulldoze the structures after the offers were accepted on the properties. Offers which were made by a board of local residents not EPA and did a fair job. Gary Jones and Tom Coburn's bullying of great people like Dr Mark Osborn and the members of that board for not picking the lowest and unqualified bidder in a demolition contract and latching onto whatever tenuous argument they can make just to gripe to try to get attention is stomach turning.

>

> This really was a multi year process which provided relief to people who would otherwise still be living there in a 40 sq mile area contaminated with 200 foot piles of lead stacked everywhere and sink holes swallowing roads and houses. The description of this a pork barrel is ridiculous and offered by a willfully uninformed and frankly stupid person.

>

> I definitely don't expect anything more in these types of stories, but this was not a true account of this situation. I'm proud I worked on this.

>

> In the end, I need to look at it this way. People like Jim are still in office doing good despite being beat up everyday. People like Tom Coburn and Gary Jones are gone and forgotten wishing they could have been as substantial as Jim.

>

>

> _____
> Ryan Jackson

> Chief of Staff

> U.S. EPA

> Ex. 6 - Personal Privacy

To: Abboud, Michael[abboud.michael@epa.gov]
Cc: Graham, Amy[graham.amy@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Hewitt, James[hewitt.james@epa.gov]
From: Bowman, Liz
Sent: Wed 10/4/2017 4:39:50 PM
Subject: Re: POLITICO Magazine: Tar Creek, Oklahoma

Yes, Kell should

Sent from my iPhone

On Oct 4, 2017, at 12:37 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

I know Jahan already had other plans with Politico and the Administrator. But this may be worthwhile to have Kell speak into, since it is Oklahoma related.

From: Malcolm Burnley [<mailto:malcolm.burnley@epa.gov>] **Ex. 6 - Personal Privacy**
Sent: Wednesday, October 4, 2017 12:30 PM
To: Press <Press@epa.gov>
Subject: POLITICO Magazine: Tar Creek, Oklahoma

Hi, I'm a contributing writer with POLITICO magazine. I'm requesting an interview with EPA administrator Scott Pruitt for an upcoming story. **My deadline is Tuesday, October 10.**

The story will be focusing on the EPA Superfund site at Tar Creek, Oklahoma, and the narrative would greatly benefit from Mr. Pruitt's input. There have been many suggestions coming from within the EPA and the White House that Tar Creek has been identified as an example of how Mr. Pruitt will approach Superfund sites across the country. In a January 2017 [story for Bloomberg BNA](#), a few days before Mr. Pruitt was confirmed, a White House spokesperson cited a buyout program that took place at Tar Creek as an example of Pruitt's guiding philosophy: "national standards; neighborhood solutions." [In August](#), senior advisor Kel Kelly was touring the site.

Given the prominence that Tar Creek — an EPA Superfund site since the 1980s — has recently taken on, I'd like to discuss Mr. Pruitt's views on the buyout program and overall job the EPA has done there.

Please let me know who I can reach out to directly within the Administrator's office regarding my request.

Thank you,

Malcolm Burnley

Ex. 6 - Personal Privacy

Philadelphia

To: Lincoln Ferguson (ferguson.lincoln@epa.gov)[ferguson.lincoln@epa.gov]; Jahan Wilcox (wilcox.jahan@epa.gov)[wilcox.jahan@epa.gov]
Cc: Abboud, Michael[abboud.michael@epa.gov]; hewitt.james@epa.gov[hewitt.james@epa.gov]; Konkus, John[konkus.john@epa.gov]; Kelsi Daniell (daniell.kelsi@epa.gov)[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Bowman, Liz
Sent: Wed 12/6/2017 11:58:15 PM
Subject: Politico Tar Creek

Did you all have a response on the Tar Creek site that you sent to a reporter?

<https://www.politico.com/magazine/story/2017/12/06/scott-pruitt-tar-creek-oklahoma-investigation-215854>

Liz Bowman

U.S. Environmental Protection Agency (EPA)

Office: 202-564-3293

To: Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Bowman, Liz
Sent: Wed 12/20/2017 3:07:12 PM
Subject: RE: FOR APPROVAL -- EPA Morning News Highlights 12.20.17

thanks

From: Daniell, Kelsi
Sent: Wednesday, December 20, 2017 10:00 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: FOR APPROVAL -- EPA Morning News Highlights 12.20.17

Circling back.

From: Daniell, Kelsi
Sent: Wednesday, December 20, 2017 8:51 AM
To: Liz Bowman (Bowman.Liz@epa.gov) <Bowman.Liz@epa.gov>; Jahan Wilcox (wilcox.jahan@epa.gov) <wilcox.jahan@epa.gov>; James Hewitt (hewitt.james@epa.gov) <hewitt.james@epa.gov>; Mike Abboud (abboud.michael@epa.gov) <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; John Konkus (konkus.john@epa.gov) <konkus.john@epa.gov>
Subject: FOR APPROVAL -- EPA Morning News Highlights 12.20.17

EPA Morning News Highlights 12.20.17

-

Washington Examiner: EPA Appoints Region Head to Cover Home of Lead-Contamination Crisis

Environmental Protection Agency Administrator Scott Pruitt appointed Cathy Stepp to become regional administrator for Region 5, which includes the home of the lead contamination crisis in Flint, Mich., the agency announced Tuesday. Stepp will oversee EPA efforts in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin. The Region 5 office has become of critical political importance in recent years after the Flint drinking water crisis captured national attention during last year's presidential election.

Brownfield Ag News: EPA says Glyphosate does not cause cancer in humans

The Environmental Protection Agency has released a draft human health risk assessment stating that weed-killer glyphosate likely does not cause cancer in humans. The assessment concluded there are no meaningful risks to human health when the pesticide label is followed, and it should be classified as “not likely to be a carcinogen for humans.” The EPA says the findings are consistent with the 2017 National Institute of Health Agricultural Health Survey, which found “no statistically significant associations with glyphosate use and cancer at any site.”

Portland Business Journal: EPA, Four Companies Reach Key Portland Harbor Superfund Cleanup Deal

The Environmental Protection Agency and four major industrial polluters have agreed on a key next step in the Portland Harbor Superfund site cleanup, the federal agency announced on Tuesday. The agreement between Arkema Inc., Evraz Inc. NA, Schnitzer Steel Industries Inc., the Marine Group LLC and the EPA sets the framework of a \$14 million sampling plan that will be used to guide and assess the cleanup of the polluted 10-mile stretch of the Willamette River.

The Californian: Salinas Oil Company Penalized for Environmental Violations

In September 2016, the EPA inspected the company and found there was a violation of the Clean Water Act's Oil Spill Prevention, Control and Countermeasure, according to an EPA press statement. The inspection found that there was a lack of secondary containment to keep oil that had been spilled from leaking into nearby water, a lack of safe and appropriate containers for the storage of oil, a failure of regular inspections and tank integrity testing and failure to provide and maintain records from the company's compliance with requirements, according to the press release.

Joplin Globe: John Berrey: Politico Got It Wrong on Tar Creek

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

Missourinet: Missouri Lawmakers Differ on Fixing St. Louis Area Landfill before EPA Head Decides

EPA head Pruitt told a U.S. House committee in early December that he'll release a decision next month on what will be done at West Lake Landfill. The site will either be capped, as Kehoe and the group of Republican State Senators want, or it will be excavated. Meanwhile, Democratic State Senator Maria Chappelle-Nadal of University City refiled the same measure she put forth last session to assist homeowners in contaminated areas. Under the plan, if a federal or state environmental or state health agency determined a home to be uninhabitable due to contamination from certain radiation, the owner would be eligible to sell the home for fair market value through the Missouri contaminated home acquisition program administered by the state Department of Natural Resources.

National Morning News Highlights 12.20.17

Politico: Senators, White House Lay Groundwork for Dreamers Deal

Top senators and White House officials are laying the groundwork for a major immigration deal in January to resolve the fate of young undocumented immigrants whose legal protections were put in limbo by President Donald Trump. At a Tuesday afternoon meeting with nearly a dozen senators deeply involved in immigration policy, White House chief of staff John Kelly pledged that the administration will soon present a list of border security and other policy changes it wants as part of a broader deal on so-called Dreamers, according to people who attended the meeting. The plan could come in a matter of days, senators said.

Bloomberg: Christmas Comes Early for Trump with Tax Win

After a year of infighting, frustration and failure, President Donald Trump and his Republicans finally have something to celebrate. The Senate early this morning passed the largest U.S. tax overhaul in more than three decades with barely a vote to spare, bringing Trump to the brink of his first big legislative win. One more (likely routine) vote in the House and the bill could be on his desk as soon as this afternoon.

Yahoo! Congress Discloses 3 More Sexual Harassment Settlements

The Office of Compliance of the U.S. House of Representatives revealed on Tuesday three

additional sexual-harassment settlements it paid out, totaling \$115,000, the Hill reports. The disclosure comes just one month after the Washington Postrevealed the Office paid more than \$17 million since 1997 to settle 264 workplace complaints (including harassment allegations).

The Oklahoman: Incentive Review Shows Value of Tax Simplicity

This year, the state's Incentive Evaluation Commission reviewed 12 state economic tax incentives and ultimately voted to repeal five. Revenue increases associated with those repeal votes will be relatively minor. Instead, the biggest impact of the commission's work may be that it reinforces the fact that politicians have a poor record when it comes to identifying and nurturing job creation via targeted tax breaks.

Washington Examiner

<http://www.washingtonexaminer.com/epa-appoints-region-head-to-cover-home-of-lead-contamination-crisis/article/2643923>

EPA Appoints Region Head to Cover Home of Lead-Contamination Crisis

By: John Siciliano, 12/19/17

Environmental Protection Agency Administrator Scott Pruitt appointed Cathy Stepp to become regional administrator for Region 5, which includes the home of the lead contamination crisis in Flint, Mich., the agency announced Tuesday.

Stepp will oversee EPA efforts in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin.

The Region 5 office has become of critical political importance in recent years after the Flint drinking water crisis captured national attention during last year's presidential election.

The drinking water crisis in the working-class city north of Detroit also became a focal point in congressional oversight last year and in major spending bill fights. The crisis started after Republican Gov. Rick Snyder appointed a project manager to find more cost-effective ways of supplying water to Flint.

The appointee signed off on a plan to divert the city's water supply from Lake Michigan to the Flint River, which caused the drinking water pipes in the city to corrode, sending large amounts of lead into residents' drinking water.

Stepp is coming from the EPA Region 7 office, where she serves as principal deputy regional administrator. Region 7 serves Iowa, Kansas, Missouri, Nebraska and nine tribal nations.

She previously served in the Midwest region as the secretary of the Wisconsin Department of Natural Resources from 2011 to 2017. She also served as a state senator in Wisconsin.

Pruitt said her experience brings "a fresh perspective to EPA as we look to implement President Trump's agenda."

Susan Hedman, the Region 5 head who served under the Obama administration's EPA, resigned over the Flint water crisis after it was reported that she refused to provide information on the lead contamination crisis after being contacted by the mayor.

Brownfield Ag News

<https://brownfieldagnews.com/news/epa-says-glyphosate-not-cause-cancer-humans/>

EPA says Glyphosate does not cause cancer in humans

By: Amie Sites, 12/19/17

The Environmental Protection Agency has released a draft human health risk assessment stating that weed-killer glyphosate likely does not cause cancer in humans.

The assessment concluded there are no meaningful risks to human health when the pesticide label is followed, and it should be classified as “not likely to be a carcinogen for humans.”

The EPA says the findings are consistent with the 2017 National Institute of Health Agricultural Health Survey, which found “no statistically significant associations with glyphosate use and cancer at any site.”

The findings contradict the advisory by the World Health Organization’s International Agency for Research on Cancer (IARC), which concluded in 2015 that glyphosate is “probably carcinogenic.” The state of California plans to add glyphosate to its list of cancer-causing chemicals, which requires that products containing or grown with glyphosate carry warnings that it is a known carcinogen.

The EPA will open a 60-day comment period on the draft human health and ecological risk assessment.

Portland Business Journal

<https://www.bizjournals.com/portland/news/2017/12/19/epa-four-companies-reach-key-portland-harbor.html>

EPA, Four Companies Reach Key Portland Harbor Superfund Cleanup Deal

By: Pete Danko, 12/19/17

The Environmental Protection Agency and four major industrial polluters have agreed on a key next step in the Portland Harbor Superfund site cleanup, the federal agency announced on Tuesday.

The agreement between Arkema Inc., Evraz Inc. NA, Schnitzer Steel Industries Inc., the Marine Group LLC and the EPA sets the framework of a \$14 million sampling plan that will be used to

guide and assess the cleanup of the polluted 10-mile stretch of the Willamette River.

In a joint statement, Schnitzer (NASDAQ: SCHN) and the Marine Group said the agreement “will expedite the cost-effective cleanup of the site in a way that is protective of public health and the environment, while ensuring that this waterway that is so vital to Oregon’s economy continues to be a working harbor.”

Yet environmentalists and state environmental regulators say the agreement falls short of their hopes.

The Oregon Department of Environmental Quality's Sarah Greenfield, in-water coordinator on the cleanup project, said that while the sampling plan would provide "a lot of necessary data," there "are a few data gaps and a few additional pieces of information that we hoped to see."

The agreement represents one of the first major steps in implementing the 13-year, \$1.05 billion cleanup plan unveiled by the Obama administration in January.

In October, DEQ and local officials, tribal leaders and environmental organizations had criticized the EPA over a draft agreement between the EPA and four then-unnamed companies, saying it threatened to undo the Obama administration's record of decision.

Gov. Kate Brown described the EPA draft agreement in October as a "significant setback" that "undermines the progress we've made."

On Tuesday, Bob Sallinger, conservation director for Portland Audubon, said the latest deal might not be as bad as that October version, but it's not what environmentalists hoped to see, nor what the EPA had been talking about earlier in the year.

In addition to sampling the contaminated river bottom, those earlier drafts called for sampling numerous “potential wildlife receptors,” which could give further insight into the effectiveness

of the cleanup.

The settlement, Sallinger said, calls for sampling only one species, smallmouth bass.

“This sampling plan is significantly weaker than the draft plans that the EPA had sent out in June,” Sallinger said.

The DEQ's Greenfield said the agency was also hoping to see additional fish tissue sampling, particularly of carp, one of the more commonly eaten fish from the river.

Schnitzer defended that part of the plan.

"We had prepared our proposal prior to the release of EPA's proposal and our sampling plan focused on the smallmouth bass because in the record of decision that is the primary species of concern for fish consumption risk," a company spokesperson said. "EPA agreed with this approach and agreed that it could do additional sampling including other species in the future.”

Sallinger, however, said it was disappointing that only four polluters — out of several dozen potentially responsible parties — had been allowed to define the baseline sampling plan.

The Californian

<http://www.thecalifornian.com/story/news/2017/12/19/salinas-oil-company-penalized-environmental-violations/966236001/>

Salinas Oil Company Penalized for Environmental Violations

By: Cristian Ponce, 12/19/17

Encore Oils and Ottone-Salinas, Inc. have been penalized for several federal Clean Water Act

violations.

The U.S. Environmental Protection Agency reached a settlement Tuesday with both companies in an effort to prevent the risk of oil spills from their biodiesel processing facility in Salinas to the Monterey Bay Watershed.

The settlement includes a \$31,893 penalty and resolves several Clean Water Act Violations, according to the press release from the EPA.

Ottone-Salinas, Inc. owns the property that Encore Oils, also known as SeQuential, operates on, located ten feet from Alisal Creek which flows into the Salinas River.

In September 2016, the EPA inspected the company and found there was a violation of the Clean Water Act's Oil Spill Prevention, Control and Countermeasure, according to an EPA press statement.

The inspection found that there was a lack of secondary containment to keep oil that had been spilled from leaking into nearby water, a lack of safe and appropriate containers for the storage of oil, a failure of regular inspections and tank integrity testing and failure to provide and maintain records from the company's compliance with requirements, according to the press release.

These regulations are put in place to reduce the risk of having oil reach nearby waters and to make sure there is adequate containment of oil spills, according to the press release.

Under the agreement with the EPA, SeQuential has put in place different safeguards to make sure oil spills will not reach nearby waterways, which include closing tanks that are failing.

Joplin Globe

http://www.joplinglobe.com/opinion/columns/john-berrey-politico-got-it-wrong-on-tar-creek/article_96e18c96-8e7d-51b4-bccc-8ab81e6d9575.html

John Berrey: Politico Got it Wrong on Tar Creek

By: John Berrey, 12/19/17

As the longtime chairman of the Quapaw Tribe of Oklahoma, I take strong exception to the Dec. 6 article by Politico's Malcom Burnley ("The Environmental Scandal In Scott Pruitt's Backyard"), which showed Burnley to be an accomplished ax-grinder.

This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek Superfund site located on Quapaw land in Northeast Oklahoma.

Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen. Inhofe. When mining companies discovered lead and zinc ore on Quapaw lands in the early 1900s they were required to acquire mining leases through the federal Bureau of Indian Affairs. Many Quapaw tribal members refused to lease their land to the mining companies. Perhaps not unsurprisingly, the BIA responded by declaring those tribal members "incompetent" and went ahead and executed the mining leases on their behalf.

When the Environmental Protection Agency declared Tar Creek a national priority list Superfund site in 1983, the EPA considered the BIA, along with the mining companies, a "responsible party" because of BIA's participation in leasing the land for mining and its management of mining practices on Indian leases.

For most of the 30-plus years since being declared a responsible party by EPA, and therefore liable for the cleanup, BIA has refused to accept responsibility for the cleanup or provide any cleanup funds. In fact, because of its fear of past and future liability, the BIA fought every effort by the EPA to clean up mine waste on Quapaw tribal lands. This — not anything Sen. Inhofe did or didn't do — is the primary reason that cleanup of Tar Creek has languished for over most of the last 35 years.

In reality, Sen. Inhofe and his staff, including his former chief of staff Ryan Jackson, should get significant credit for ending the deadlock between EPA and BIA, thereby allowing the start of the cleanup of the mountains of heavy metal-laden mine waste (called “chat”) that dominate the landscape on Quapaw land. In the early 2000s, Sen. Inhofe, using his influence as chairman of Environment and Public Works Committee in the Senate and working with Quapaw tribal leaders, brought upper management of the EPA and the Department of the Interior together by facilitating an agreement and sponsoring legislation that would ease fear of liability and allow the EPA to finally begin cleanup of mine waste on tribal lands. Since then, there has been more mine waste cleaned up at Tar Creek than in the previous 30 years combined.

More than once in the article the author states that the Quapaw tribe has been “contracted” to perform cleanup at Tar Creek. This represents a fundamental misunderstanding of the facts and the nature of tribal sovereignty. Under the Superfund law, Indian tribes have the same status as states where Superfund sites are concerned. The EPA cleanup funds that the Quapaw tribe’s Environmental Office receives to clean up mine waste on tribal lands are channeled through an inter-agency cooperative agreement — a funding method identical to EPA funding provided to state agencies that participate in Superfund cleanups.

This method of cleanup funding has significant advantages over “contracting” out Superfund cleanup work. By funding a tribe or state agency to perform the work themselves, it allows work to be performed by local entities that know the communities in which they work, not to mention the lower costs that result from avoiding the usual markups of multilayered contractors.

This local control and funding of the cleanups at Superfund sites is consistent with Pruitt’s change in the focus of the Superfund program nationwide.

It should be noted that Tar Creek is the first Superfund site in the nation where an Indian tribe has been given the lead by the EPA in site cleanup. It may be news to Malcom Burnley, but the Quapaw tribe has scientists and engineers on staff to provide technical oversight and the tribe has a construction division with heavy equipment and numerous tribal employees with construction and earth moving equipment and experience. These enhancements were a direct result of tribal leaders, the EPA and Sen. Inhofe and his staff working together for over a decade to ensure that the tribe had the capacity and ability to perform this work.

It is reasonable to expect that the tribe, the most adversely affected stakeholder at Tar Creek, should benefit from the cleanup of its own lands. Accordingly, the Quapaw tribe has cleaned up more waste and returned more acres to productive use since 2013, than was cleaned up in the previous 30 years at Tar Creek.

The article states that “(a)s EPA administrator, he (Scott Pruitt) has assumed full responsibility for the still-faltering cleanup.” As I pointed out above, the cleanup is far from “faltering,” and in fact the state of Oklahoma — seeing how the tribe has achieved unprecedented progress in the cleanup at Tar Creek — has entered into its own inter-agency agreement with the Quapaw tribe to perform cleanup of contaminated nontribal land.

This state/tribe agreement is another nationwide first at a Superfund site. Not surprisingly, after Pruitt sent his senior staff to visit Tar Creek this past summer and report back to him, they reported that because of the tribe’s more than adequate capacity to perform the work at a lower cost, and because of the tribe’s longstanding relationships with landowners and the local communities, the current remediation work at Tar Creek should be a model for bringing new approaches to large legacy Superfund sites.

Most of the article derides the Lead Impacted Communities Relocation Assistance Trust for alleged mismanagement of the relocation of residents of the Tar Creek area. Although I am not familiar with all of the inner workings of the LICRAT or the nature and validity of all of the grievances of the relocated residents, I do know that all of the residents have been removed from the hazards of the inevitable mine cave-ins that occur at the site on a regular basis.

Members of the LICRAT have also endeavored to see that the tribe ultimately receives the land that was purchased so that the tribe can ensure that the land is remediated and eventually converted into some form that can be safely used as a part of its land base.

It should also be noted that many residents living in the Tar Creek area were living on Quapaw tribal land, and in many cases, did not know it because the BIA had not been collecting rent for decades as it was required to. This resulted in some of the residents’ evident resentment toward the LICRAT’s proposed buyout offers.

After decades of exploitation, environmental devastation, mismanagement of natural resources

and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

John Berrey is the chairman of the Quapaw Tribe of Oklahoma.

MissouriNet

<https://www.missourinet.com/2017/12/19/missouri-lawmakers-differ-on-fixing-st-louis-area-landfill-before-epa-head-decides/>

Missouri Lawmakers Differ on Fixing St. Louis Area Landfill before EPA Head Decides

By: Jason Taylor, 12/19/17

There are competing ideas among Missouri lawmakers for cleaning up the West Lake Landfill Superfund Site west of St. Louis.

Environmental Protection Agency (EPA) administrator Scott Pruitt said earlier this month that the government's taken too long to address the issues while declaring that a decision would be announced in January.

"There's proposals that I'm looking at this month to make a decision on West Lake. It's a very important issue to the people of St. Louis," says Pruitt.

Back in May, bipartisan legislation was introduced by Missouri members of Congress to transfer management of the site from the EPA to the Army Corp of Engineers.

Republican Roy Blunt and Democrat Claire McCaskill teamed up on a measure in the Senate, while GOP member Ann Wagner and Democrat William Lacy Clay, both St. Louis area Congress members, file a companion bill in the House.

In October, Republican state Senator Mike Kehoe of Jefferson City sent a letter to the EPA's regional office in Kansas City, asking the agency to follow its own 2008 recommendation to physically cap and isolate the material at the landfill forever.

Kehoe said in his letter that there continues to be no evidence of health risks to individuals living or working near the West Lake site, and that excavating the waste would present unintended hazards.

17 other Republican State Senators signed onto Kehoe's letter, which claims excavation and transportation of waste would create unnecessary exposure and public safety risks on roadways and railways.

The correspondence also points out there's concern among wildlife and aviation experts that excavation would lead to the risk of bird strikes to aircraft approaching and leaving St. Louis' Lambert Airport.

Kehoe's letter expressed sympathy to those who worry their health may have been compromised by the legacy of the Manhattan Project, a World War II nuclear bomb development program which led to the dumping of contaminated waste at the West Lake site in the 1970's.

An underground fire at the nearby Bridgeton Landfill, which has been burning since at least 2010, is making its way toward the radioactive material at West Lake.

While Kehoe's letter dismisses the existence of health risks at West Lake, it states that circumstances at nearby Coldwater Creek have been found to be wholly different.

Kim Visintine of the Coldwater Creek group told MissouriNet earlier this month people living in that area have reported a list of health battles, including cancer, autoimmune disease, some cannot have children and some children born with deformities.

EPA head Pruitt told a U.S. House committee in early December that he'll release a decision next month on what will be done at West Lake Landfill. The site will either be capped, as Kehoe and the group of Republican State Senators want, or it will be excavated.

Meanwhile, Democratic State Senator Maria Chappelle-Nadal of University City refiled the same measure she put forth last session to assist homeowners in contaminated areas.

Under the plan, if a federal or state environmental or state health agency determined a home to be uninhabitable due to contamination from certain radiation, the owner would be eligible to sell the home for fair market value through the Missouri contaminated home acquisition program administered by the state Department of Natural Resources.

Chappelle-Nadal's bill calls for up to \$12.5 million to be dedicated to achieving the goal.

Politico

<https://www.politico.com/story/2017/12/19/senate-white-house-trump-lay-groundwork-for-daca-deal-306298>

Senators, White House Lay Groundwork for Dreamers Deal

By: Seung Min Kim, Heather Caygle and Elana Schor, 12/19/17

Top senators and White House officials are laying the groundwork for a major immigration deal in January to resolve the fate of young undocumented immigrants whose legal protections were put in limbo by President Donald Trump.

At a Tuesday afternoon meeting with nearly a dozen senators deeply involved in immigration

policy, White House chief of staff John Kelly pledged that the administration will soon present a list of border security and other policy changes it wants as part of a broader deal on so-called Dreamers, according to people who attended the meeting. The plan could come in a matter of days, senators said.

About a half-dozen senators have been negotiating a bipartisan package prompted by Trump's decision to kill the Deferred Action for Childhood Arrivals program, an Obama-era executive action that granted work permits to nearly 800,000 undocumented immigrants who came here as minors. Yet the senators could not fully flesh out a deal before they knew what Trump was willing to sign.

"We couldn't finish this product, this bill, until we knew where the administration was," Sen. Jeff Flake (R-Ariz.), who has been negotiating a DACA compromise for weeks, said in an interview after the meeting with Kelly. "And that's why this meeting was so important."

Congressional Republicans and the White House have long said any DACA deal would need to be paired with security and other enforcement measures. Democrats say that's fine as long as the provisions weren't too onerous. But the border security question has been a sticking point for weeks, as senators swapped proposals without cutting a deal, so far.

And while liberal Democrats and grass-roots activists are pressuring Congress to enact permanent legal protections for Dreamers this year, both Democrats and Republicans at the meeting with Kelly said there was a consensus that legislation wouldn't pass before lawmakers leave Washington. It was one of the clearest sign yet that a Dreamers agreement won't, to the chagrin of liberals, come before 2018.

"Our belief is that if this matter is not resolved this week — and it's not likely to be resolved — that come the omnibus and the caps, that we have another chance to finally come up with a bipartisan package of things to include" by mid-January, said Sen. Dick Durbin (D-Ill.), who also attended the meeting. "The closer we get [to the March deadline], the more nervous I get, not to mention the way these young people feel. I'm sorry that it's taken this long."

Flake said he believes he has a commitment from Senate Majority Leader Mitch McConnell (R-Ky.) to hold a cloture vote on the floor on an immigration deal by mid-January, before the next

likely deadline to fund the government, Jan. 19.

A spokesman for McConnell did not immediately return a request for comment. But the majority leader said during a Fox News interview that he has talked about the immigration issue with his counterpart, Senate Minority Leader Chuck Schumer of New York.

“No, we’ll not be doing DACA ... this week,” McConnell said. “That’s a matter to be discussed next year. The president has given us until March to address that issue. We have plenty of time to do it.”

At the Tuesday meeting, Kelly and other administration officials went into detail about how much of the southern border is currently fenced and how much more the White House would want in exchange for a DACA deal, according to people who attended.

Senators also pressed the White House on other immigration demands, such as an overhaul of the nation’s asylum system or a change in policy toward unaccompanied minors who are apprehended at the southern border, and whether they needed to be included in the current DACA talks.

“Which of those policy items, or immigration law changes, do we need to make as part of this and what can wait for something else?” Flake said, summing up the questions from senators. “There’s a lot of nice things we need to do as part of broader comprehensive reform, but we need to have a bill in January and we need to know what has to be in it and what the administration will support.”

The bipartisan group of senators — Flake and Durbin, Michael Bennet (D-Colo.), James Lankford (R-Okla.), Thom Tillis (R-N.C.), Lindsey Graham (R-S.C.) and Cory Gardner (R-Colo.) — has discussed a legalization plan that would marry the DREAM Act, drafted by Durbin and Graham, with a more conservative proposal for Dreamers written by Tillis and Lankford, Flake said.

Those seven senators attended Tuesday’s meeting with Kelly, as did Senate Majority Whip John

Cornyn (R-Texas), and Republican Sens. Tom Cotton of Arkansas and David Perdue of Georgia.

“I think what we’re trying to do is to get some clarity from the administration on what they require by way of border security and other enforcement measures,” Cornyn said as he left the meeting. “We got a promise to provide it to us and hopefully we’ll get that in short order. Maybe even this week.”

Republicans’ commitment to taking up a DACA deal next month won’t spare Democrats the fury of liberal groups that have demanded that any spending bill this year include a solution for Dreamers.

Democratic leaders have signaled that they won’t risk a government shutdown this month to secure relief for the Dreamers, though some lawmakers have vowed to withhold their votes for any must-pass funding measure without an immigration fix.

Durbin, the influential second-ranking Senate Democrat, is firmly in the camp of senators who won't vote for a spending bill without help for Dreamers. That group also includes liberal Sens. Bernie Sanders (I-Vt.), Kamala Harris (D-Calif.), Kirsten Gillibrand (D-N.Y.), and Elizabeth Warren (D-Mass.).

Durbin was asked by reporters Tuesday if there was a divide between him and Schumer over where to draw the line on the issue, and acknowledged that there "may be."

Schumer, for his part, put Republicans on notice Tuesday that they shouldn’t count on Democratic votes for a short-term funding package that includes just some of Democrats' priorities — such as children’s health insurance — while leaving immigration for next year.

In the House, lawmakers, including several in the Congressional Hispanic Caucus, privately say they don’t see a path to secure a legislative fix for Dreamers before the end of the year. They acknowledge that the sides are now positioning themselves for a fight in January.

House Minority Leader Nancy Pelosi (D-Calif.) touched on dynamics during a private leadership meeting Monday night.

“We need to stick [together] and show that they need us,” said one Democratic member with knowledge of the strategy going into January. Republicans “are not going to be able to keep going on with the CRs. ... Then we’re at an inflection point in January.”

That hasn’t stopped some members from making a last-ditch effort to reach a bipartisan agreement, in hopes Democrats can use it as leverage in the House if Republicans need their votes to pass a short-term funding bill later this week.

“I believe that my leadership is gonna close the deal and I have to believe that,” said CHC Chair Michelle Lujan Grisham (D-N.M.), noting she’s canceled all Christmas travel to stay in Washington and work on a legislative fix.

Reps. Will Hurd (R-Texas) and Pete Aguilar (D-Calif.) are behind one effort that would pair a proposal similar to the DREAM Act with border security, according to several members.

And the Problem Solvers Caucus, a bipartisan group of 48 moderate Democrats and Republicans, is preparing to publicly embrace a specific proposal in the next day or two. A subset of the group has been working for weeks to hammer out an agreement and the entire caucus planned to meet again Tuesday night.

“There’s certainly scenarios where this could get done this week. I’m not an expert on how all these pieces could unfold,” said Rep. Josh Gottheimer (D-N.J.), a co-chairman of the group. “But everything is clearly on the table, which is why we think it’s important we move and move quickly here.”

Bloomberg

<https://www.bloomberg.com/news/articles/2017-12-20/christmas-comes-early-for-trump-with-tax-win>

Christmas Comes Early for Trump with Tax Win

By: Kathleen Hunter, 12/20/17

After a year of infighting, frustration and failure, President Donald Trump and his Republicans finally have something to celebrate.

The Senate early this morning passed the largest U.S. tax overhaul in more than three decades with barely a vote to spare, bringing Trump to the brink of his first big legislative win. One more (likely routine) vote in the House and the bill could be on his desk as soon as this afternoon.

The legislation - passed before Christmas, as Trump urged just two months earlier - quiets questions about the fractious party's ability to govern. The measure's repeal of the Obamacare insurance mandate also helps salve the wounds from Republican struggles to repeal the broader law earlier this year.

But the celebration may be short-lived. Congress must quickly pass a spending bill by Friday to avoid a holiday government shutdown.

The new year will bring more spending showdowns, Russia probe revelations and a midterm election in which the Democrats are increasingly favored to take back at least one house of Congress. The tax bill, with most of its benefits going to corporations and the rich, will provide ample fodder for the campaigns ahead.

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Senator Tim Scott, a Republican from South Carolina, center, speaks during a news conference with Senate Republicans

Yahoo!

<https://www.yahoo.com/news/congress-discloses-3-more-sexual-211917622.html>

Congress Discloses 3 More Sexual-Harassment Settlements

By: Lisa Ryan, 12/19/17

The Office of Compliance of the U.S. House of Representatives revealed on Tuesday three additional sexual-harassment settlements it paid out, totaling \$115,000, the Hill reports. The disclosure comes just one month after the Washington Post revealed the Office paid more than \$17 million since 1997 to settle 264 workplace complaints (including harassment allegations).

According to the Hill, the three payments were made between fiscal years 2008 through 2012. Yet, the disclosure doesn't include any information about the recipients of the settlements, or from which offices the complaints originated.

Representative Gregg Harper, the chair of the House Administration Committee, released a statement, saying that his group had asked for a breakdown of the \$17 million total amount paid to settle the aforementioned complaints. Harper added that the committee still hasn't received all of the requested information.

"We must create a culture within our Capitol Hill community that instills in every employee and employer, new and old, that there is no place for sexual harassment in the halls of Congress," Harper said.

However, on Monday, the Senate's Office of Compliance rejected a bid by Senator Tim Kaine to

release information about that chamber's sexual-harassment settlements, claiming it would violate confidentiality rules. "The [Office of Compliance] shares your concern over the issue of sexual harassment in Congressional workplaces, and we stand ready to work with Members, Committees, and other employing offices to promote awareness and prevention of this problem," the office wrote in a letter, per the Hill.

The Oklahoman

<https://www.oklahoman.com/oklahoma-incentive-review-shows-flaws-of-political-planning/article/5576567>

Incentive Review Shows Value of Tax Simplicity

By: Editorial Board, 12/20/17

THIS year, the state's Incentive Evaluation Commission reviewed 12 state economic tax incentives and ultimately voted to repeal five. Revenue increases associated with those repeal votes will be relatively minor. Instead, the biggest impact of the commission's work may be that it reinforces the fact that politicians have a poor record when it comes to identifying and nurturing job creation via targeted tax breaks.

In some instances, breaks have been designed to support companies that are producing fewer jobs than those produced by non-taxpayer supported industries. The commission found this was the case even for the Quality Jobs Act, generally considered one of the state's better business-incentive programs.

The commission's final report notes, "Industries incentivized by Quality Jobs have shown slower growth in employment and annual average pay over the last five years, compared to the State as a whole. Employment in incentivized industries contracted by 2.9 percent, while the State as a whole expanded by 2.5 percent."

The report reveals that Quality Jobs payments during the past five years "have gone to industries lagging behind State growth in employment and annual average pay." In fact, only 27 percent of payments went to establishments with growth in employment, total wages and average annual

wage that exceeded state averages.

The commission reached similar conclusions regarding the Small Employer Quality Jobs program. “The industry group decreased employment over the last five years, as overall State employment expanded.”

Since 1987, Oklahoma has offered a Home Office Tax Credit to insurance companies that establish home or regional home offices in Oklahoma and meet certain employment levels. The Incentive Evaluation Commission's final report notes, “The credit appears to have had little impact on the State's insurance industry employment in recent years. Insurance industry employment in Oklahoma has declined by 4.2 percent since 2001, while neighboring states, most of which do not have a similar home office incentive, have experienced growth ranging from 6 to 30 percent.”

Other credits fared worse, or lacked sufficient data to even measure their worth.

Oklahoma has had a High Impact Quality Jobs program since 1994. The commission found the incentive “has never been used” and the state Department of Commerce “no longer promotes the program on its website due to lack of interest.”

The debate over Oklahoma's capital gain deduction was marred by what the commission deemed a “dearth of data.” The group also reported there is “insufficient data to accurately estimate or verify the total economic or tax revenue impacts of the clean-burning fuel vehicle credit.”

Then there's the Ethanol Fuel Retailer Tax Credit. The commission reports, “Based on the economic and fiscal impact analysis, it appears the annual incentives offered under this program exceed the tax revenue generated by additional household spending by Oklahoma residents.”

The commission's work reinforces the value of tax simplicity. Keeping tax rates low, applying them evenly across the board, and then letting market forces determine individual companies' success or failure works better than depending on politicians to somehow “guide” the process.

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From: Bowman, Liz
Sent: Tue 2/13/2018 3:01:52 PM
Subject: RE: FOR APPROVAL: EPA News Highlights 2.13.18

thanks

From: Abboud, Michael
Sent: Tuesday, February 13, 2018 9:29 AM
To: Beach, Christopher <beach.christopher@epa.gov>; Block, Molly <block.molly@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: FOR APPROVAL: EPA News Highlights 2.13.18

EPA News Highlights 2.13.18

The Washington Examiner: EPA Reaches \$10 Million Settlement With Shell

Energy giant Shell agreed to install \$10 million in emissions control equipment at a Louisiana chemical plant as part of a settlement Monday with the Environmental Protection Agency and Justice Department. EPA Administrator Scott Pruitt said the agreement demonstrates the agency's "dedication" to working with the states to pursue violations of federal clean air laws and bring violating companies into compliance. "This settlement will improve air quality for citizens of Louisiana by reducing emissions of harmful air pollution," Pruitt said. The EPA, Justice Department and the Louisiana Department of Environmental Quality announced the settlement with Shell Chemical for emissions violations stemming from the company's chemical plant in Norco, La. The settlement will result in the elimination of more than 150 tons of excess emissions of harmful air pollutants. It resolves charges that Shell violated the Clean Air Act and state law by not properly operating flaring units to burn off excess gases. The settlement, in addition to making the \$10 million in improvements, also fined the company civil penalties totaling \$350,000, including \$87,500 to state regulators.

E&E News: Trump Wants To End EPA Dredge And Fill Permitting, Vetoes

The Trump administration wants to eliminate U.S. EPA authority over dredging and filling the nation's wetlands and waterways. The proposal — which would require congressional approval — was included in the Trump administration's infrastructure plan released today. The plan would give the Army Corps of Engineers complete authority over the Clean Water Act Section 404 program, taking EPA out of the process. The administration also wants to eliminate EPA's 404(c) veto power over permits it disagrees with. The proposal would mean the Army Corps would be solely responsible for reviewing project proposals and permitting them.

Milwaukee Journal Sentinel: No. 2 Wisconsin DNR official joins Cathy Stepp at regional office of the EPA in Chicago

A second top state official at the Wisconsin Department of Natural Resources is moving to the U.S. Environmental Protection Agency's regional office in Chicago — an agency that oversees federal regulatory issues in the Midwest, including Wisconsin. Kurt Thiede, deputy secretary of the DNR, is joining the EPA as chief of staff for Cathy Stepp, the recently appointed regional administrator of the environmental enforcement agency. Thiede was appointed deputy DNR secretary in March 2015 by Republican Gov. Scott Walker and has worked at the state agency since 1999 in a variety of positions. He told fellow employees in a memo Monday that one of his goals had been to change the perception that the DNR was a regulatory agency to be feared. The move of Stepp and now Thiede to the EPA comes at a time when Foxconn Technology Group has started to submit environmental permit applications to the DNR for a massive industrial complex in Racine County.

Oklahoma Energy Today: EPA Disagrees With Auditor Jones Over Tar Creek Trust

Oklahoma State Auditor and Inspector Gary Jones apparently has a different opinion about the way contracts were handled by the Trust created to handle the relocation of homes and businesses at the Tar Creek Superfund site. He thinks there might have been criminal wrongdoing. But the Tulsa World reported over the weekend that a federal investigator concluded otherwise. The paper said a 2013 report by the Environmental Protection Agency's Office of Inspector General claimed there were no irregularities or violations of law concerning the handling of the bids and contracts at Tar Creek in northeast Oklahoma. The paper quoted the investigator from the report. "Extensive record reviews and interviews were conducted and did not disclose evidence to support the allegations," Special Agent Susan Chandler wrote in the OIG report. The OIG report was initially obtained by a member of the Lead-Impacted Communities Relocation Assistance Trust in 2014.

Bloomberg BNA: Water Infrastructure Among Few EPA Winners In Trump Budget Plan

Water infrastructure funding would be essentially shielded from the deep cuts the Trump

administration is seeking in Environmental Protection Agency funding in fiscal 2019, even as the president seeks to eliminate or greatly reduce regional water quality programs. The president's budget request released Feb. 12 would provide \$6.15 billion to the EPA for the fiscal year that begins Oct. 1, a reduction of about 25 percent from the fiscal 2017 enacted levels. A proposed cut that deep is expected to encounter resistance from Senate Democrats and even some Republicans. At the same time, the proposed budget would maintain funding levels for EPA-funded water infrastructure projects. Overall, the EPA's two largest water funds, which provide money to states for infrastructure loans, would receive almost \$2.3 billion in fiscal 2019.

National News Highlights 2.13.18

The Wall Street Journal: Shale Output Hasn't Grown This Fast Since Oil Was At \$100

U.S. shale companies are churning out crude oil at a record pace that could overwhelm global demand and reverse the oil market's fragile recovery, a top energy-market observer said Tuesday. U.S. shale production is growing faster in 2018 than it did even during the boom years of \$100 a barrel oil prices from 2011 to 2014, said the International Energy Agency in its closely watched monthly report. The difference this time: Oil prices are about 40% lower. The situation is "reminiscent of the first wave of U.S. shale growth," when a flood of American oil built up a global glut that sent prices crashing over four years ago, said the Paris-based IEA, which advises governments and corporations on energy trends. Oil prices fell after the report's release in Europe before recovering somewhat. Brent, the international benchmark was down 0.06% at \$62.55 while U.S. prices were down 0.27% at \$59.13.

Bloomberg: Americans Expect Biggest Pay Jump In Years

Americans are more optimistic about wage growth than they have been in years. U.S. consumers anticipate earnings will rise 2.73 percent in the coming year, the most since data collection began in 2013, according to the results of a New York Fed survey released Monday and conducted last month. January was only the third month in the survey's 56-month history in which expected wage growth topped expected consumer price inflation, which fell slightly, to 2.71 percent.

The Wall Street Journal: Trump's Big Public Works Dig

The real earth-moving parts of Mr. Trump's plan are the regulatory reforms, some of which will need to be fleshed out. The President wants to establish "one agency, one decision" for environmental reviews that would avoid regulatory hop-scotch. Good idea. Mr. Trump also suggests reducing environmental reviews to two years that can now drag out for a decade. Even

many Democrats would like to expedite their favorite projects that have been grounded due to the discovery of a tiger salamander or other endangered species. Another idea with merit is delegating environmental review and permitting decisions to states. California has been assigned these responsibilities under agreements with the Federal Highway Administration, as have Texas, Florida and Ohio. According to Gov. Brown, California has reduced the approval process from the “notice of intent to final environmental impact statement” on highway projects on average by 10 years. Tucked into the plan is modest flexibility on Buy America requirements and Davis-Bacon, which requires contractors on federal projects to pay workers prevailing wages set by unions. These raise construction costs. While this flexibility is commendable, Mr. Trump’s plan will also require tens of thousands of more workers. The Associated General Contractors of America reported last month that 78% of contractors had a hard time hiring. Apprenticeships can make up some of the shortage, but the government will need to increase H-2B visas to avoid delays or exorbitant project costs. Democrats are ripping the President’s plan, and no doubt many think they can get more money if they win control of Congress in November. But they shouldn’t be so sure. President Trump deserves credit for opening a debate in Congress about why merely spending more on public works won’t help the public.

TRUMP TWEETS

The Washington Examiner

<http://www.washingtonexaminer.com/epa-reaches-10-million-settlement-with-shell/article/2648888>

EPA Reaches \$10 Million Settlement With Shell

By John Siciliano, 2/12/18

Energy giant Shell agreed to install \$10 million in emissions control equipment at a Louisiana chemical plant as part of a settlement Monday with the Environmental Protection Agency and Justice Department.

EPA Administrator Scott Pruitt said the agreement demonstrates the agency's "dedication" to working with the states to pursue violations of federal clean air laws and bring violating companies into compliance.

“This settlement will improve air quality for citizens of Louisiana by reducing emissions of harmful air pollution,” Pruitt said.

The EPA, Justice Department and the Louisiana Department of Environmental Quality announced the settlement with Shell Chemical for emissions violations stemming from the company's chemical plant in Norco, La.

The settlement will result in the elimination of more than 150 tons of excess emissions of harmful air pollutants. It resolves charges that Shell violated the Clean Air Act and state law by not properly operating flaring units to burn off excess gases.

The settlement, in addition to making the \$10 million in improvements, also fined the company civil penalties totaling \$350,000, including \$87,500 to state regulators.

“This agreement is the latest in EPA’s and the Justice Department’s continuing efforts to work with our state partners to protect the American public from harmful air pollution,” said Jeffrey Wood, the Justice Department’s acting assistant attorney general for environment and natural resources.

E&E News

<https://www.eenews.net/eenewspm/2018/02/12/stories/1060073641>

Trump Wants To End EPA Dredge□And□Fill Permitting, Vetoes

By Ariel Wittenberg, 2/12/18

The Trump administration wants to eliminate U.S. EPA authority over dredging and filling the nation's wetlands and waterways.

The proposal — which would require congressional approval — was included in the Trump administration's infrastructure plan released today.

The plan would give the Army Corps of Engineers complete authority over the Clean Water Act Section 404 program, taking EPA out of the process.

The administration also wants to eliminate EPA's 404(c) veto power over permits it disagrees with.

The proposal would mean the Army Corps would be solely responsible for reviewing project proposals and permitting them.

While EPA and the Army Corps would continue working on current efforts to rewrite regulations defining which wetlands and small waterways are subject to the Clean Water Act, the administration apparently wants EPA's authority to end there.

Not only would the Army Corps be the only agency to issue jurisdictional determinations about whether specific projects need permits for dredging and filling, the administration also wants to "eliminate duplicative oversight" by removing EPA's veto authority over Army Corps 404 permits.

"The threat of the veto creates significant uncertainty and delays permit decisions," the proposal says. "Removing EPA's authority to veto a 404 permit would make the permitting process more efficient and predictable."

That could have major ramifications for projects nationwide, especially the Pebble mine project in southwestern Alaska.

Last month, U.S. EPA Administrator Scott Pruitt unexpectedly withdrew his attempt to quash proposed pre-emptive restrictions on the controversial mine project (Greenwire, Jan. 30).

Today's proposal would render that meaningless by eliminating 404(c) altogether, leaving Pebble's critics with only EPA's science showing "significant and irreversible harm."

EPA and Army Corps' joint administration of dredging and filling permits dates back to the Clean Water Act's 1972 passage. A deal between the House and Senate during CWA negotiations maintained the Army Corps' traditional authority over dredging and filling as EPA became responsible for water pollution from those projects (Greenwire, June 29, 2017).

The agencies agreed in 1979 that while the Army Corps would be the primary permit administrator, EPA would have the final say. In 1992, the agencies signed another agreement that they would jointly participate in a dual review.

The administration's proposal follows requests from energy companies this fall that EPA be eliminated from 404 permitting.

"Unfortunately, the extreme difference in opinions and backgrounds between the agencies has created a significant disruption in their coordination and program administration," coal company Murray Energy Corp. wrote to the Army Corps in October. "Each agency is struggling to manage the program as they see fit creating an uncertainty and unclear path of progression for the applicants."

The comments were in response to the Army Corps' requests for comments on 30 regulations that "might be appropriate for repeal, replacement or modification" (Greenwire, Oct. 20, 2017).

The Waters Advocacy Coalition, which comprises more than 60 industry groups, also asked the Army Corps to withdraw from both the 1979 and 1992 agreements.

The 1979 agreement, the coalition wrote, "allows EPA to delay and/or second-guess the Corps expertise."

That position is also supported by several construction and farming groups.

"Recognizing the Corps' authority over its own 404 program would promote consistency and certainty, as permit holders could rely on a jurisdictional determination or 404 permit issued by the Corps without having to wonder if EPA will insert itself into the decision making process and undermine the Corps' positions," the National Association of Home Builders wrote.

Milwaukee Journal Sentinel

<https://www.jsonline.com/story/news/politics/2018/02/12/no-2-wisconsin-dnr-official-joins-cathy-stepp-regional-office-epa-chicago/330657002/>

No. 2 Wisconsin DNR official joins Cathy Stepp at regional office of the EPA in Chicago

By Lee Bergquist, 2/12/18

A second top state official at the Wisconsin Department of Natural Resources is moving to the U.S. Environmental Protection Agency's regional office in Chicago — an agency that oversees federal regulatory issues in the Midwest, including Wisconsin.

Kurt Thiede, deputy secretary of the DNR, is joining the EPA as chief of staff for Cathy Stepp, the recently appointed regional administrator of the environmental enforcement agency.

Thiede was appointed deputy DNR secretary in March 2015 by Republican Gov. Scott Walker and has worked at the state agency since 1999 in a variety of positions. He told fellow employees in a memo Monday that one of his goals had been to change the perception that the DNR was a regulatory agency to be feared.

The move of Stepp and now Thiede to the EPA comes at a time when Foxconn Technology Group has started to submit environmental permit applications to the DNR for a massive industrial complex in Racine County.

The Foxconn project is likely to require some federal environmental reviews or oversight.

Foxconn is planning to construct a \$10 billion flat-screen plant in Mount Pleasant. The Taiwan company has already won exemptions from some state environmental rules as part of a state financial incentive package.

The EPA said earlier this month that Stepp has stepped aside from involvement in two ongoing regulatory cases in Wisconsin because of previous ties when she was at the DNR.

Those two cases involve pollution problems at barrel refurbishing plants in St. Francis, Milwaukee and Oak Creek and a longstanding EPA review of the DNR's water regulation program.

Asked if Stepp would recuse herself in other cases, an EPA spokeswoman told the Milwaukee Journal Sentinel on Feb. 6 that Stepp is "consulting with EPA ethics officials to determine which, if any, additional matters she should recuse herself from." The spokeswoman said Monday she had no additional details.

As for Thiede, the spokeswoman said, "Mr. Thiede will consult with EPA ethics officials to determine which matters he should recuse himself from."

Under the Walker administration, Thiede has played an influential role as an experienced agency insider in a department whose top managers mostly came from the outside.

In a memo to DNR employees on Monday, Thiede said:

"When I started to take on leadership roles at the agency I wanted to make sure we began to change the narrative that the DNR was something to be feared, avoided, or maligned.

"I wanted the agency to be viewed as a partner, a resource, and I feel like we have made great strides in this area. I understand that by the nature of our work we can't make everyone happy all the time, but we can change perceptions and make sure that any experience with the agency is professional, respectful and enlightening."

Stepp, a Republican and former builder and state senator from Racine County, oversaw all environmental regulations in Wisconsin as secretary from 2011 until August.

She left the DNR in August for a post in the Trump administration in the Kansas City office of the EPA. On Dec. 19, she was appointed to head up the Midwest regional office in Chicago.

The regional office oversees Wisconsin, Indiana, Illinois, Michigan, Minnesota and Ohio.

In Madison, DNR Secretary Dan Meyer said Ed Eberle, the assistant deputy secretary, will become the No. 2 official in the agency.

In another move, Pat Stevens, administrator of the environmental management division of the DNR, will become assistant deputy secretary.

Oklahoma Energy Today

<http://www.okenergytoday.com/2018/02/epa-disagrees-with-auditor-jones-over-tar-creek-trust/>

EPA Disagrees With Auditor Jones Over Tar Creek Trust

By Jerry Bohnen, 2/12/18

Oklahoma State Auditor and Inspector Gary Jones apparently has a different opinion about the way contracts were handled by the Trust created to handle the relocation of homes and businesses at the Tar Creek Superfund site.

He thinks there might have been criminal wrongdoing. But the Tulsa World reported over the weekend that a federal investigator concluded otherwise. The paper said a 2013 report by the Environmental Protection Agency's Office of Inspector General claimed there were no irregularities or violations of law concerning the handling of the bids and contracts at Tar Creek in northeast Oklahoma.

The paper quoted the investigator from the report.

"Extensive record reviews and interviews were conducted and did not disclose evidence to support the allegations," Special Agent Susan Chandler wrote in the OIG report.

The OIG report was initially obtained by a member of the Lead-Impacted Communities Relocation Assistance Trust in 2014.

The investigation and conclusions drawn by the State Auditor were submitted to then-Attorney General Scott Pruitt who chose not to release the report. Current Attorney General Mike Hunter agreed also not to release it.

Jones still contends his report should be released to the public.

"If the attorney general thinks the auditor and inspector's office did shoddy work, I'd think he'd want the public to see it," Jones told the paper last week.

The OIG report lists 15 allegations against LICRAT and project engineer Jack Dalrymple. The World reported they deal with claims that Dalrymple and perhaps trust members conspired to rig the bidding process on a \$3 million contract to remove and dispose of abandoned buildings and otherwise rehabilitate the Tar Creek site.

Dalrymple told the newspaper he thinks the Auditor and Inspector's report should be made public and he's not afraid of its release, adding, "I can tell you every single person on that trust was honest and true."

Bloomberg BNA

<https://www.bna.com/water-infrastructure-among-n57982088642/>

Water Infrastructure Among Few EPA Winners In Trump Budget Plan

By Dean Scott, 2/12/18

Water infrastructure funding would be essentially shielded from the deep cuts the Trump administration is seeking in Environmental Protection Agency funding in fiscal 2019, even as the president seeks to eliminate or greatly reduce regional water quality programs.

The president's budget request released Feb. 12 would provide \$6.15 billion to the EPA for the fiscal year that begins Oct. 1, a reduction of about 25 percent from the fiscal 2017 enacted levels. A proposed cut that deep is expected to encounter resistance from Senate Democrats and even some Republicans.

At the same time, the proposed budget would maintain funding levels for EPA-funded water infrastructure projects. Overall, the EPA's two largest water funds, which provide money to states for infrastructure loans, would receive almost \$2.3 billion in fiscal 2019.

This \$2.3 billion allocation is separate from the \$20 billion proposed to go to EPA in the president's infrastructure proposal, which was also released Feb. 12. The \$20 billion in the infrastructure plan would be used as matching funds meant to spur states, cities, and private companies to move forward on projects.

Before Congress last week reached a two-year budget deal, which Trump signed Feb. 9, the administration planned to cut more than \$380 million from the infrastructure fund that goes toward wastewater projects. That would have been a more than 27 percent reduction from fiscal

2017, the last year for which detailed full-year budget figures exist.

The administration instead kept funding for the wastewater program and for the EPA's drinking water infrastructure program after the budget deal was reached.

Great Lakes, Chesapeake Cleanups Cut

But funding for most regional water quality programs, in which the EPA supports cooperative efforts by states, would take a big hit under the Trump administration's fiscal 2019 request. It is seeking to eliminate EPA support for all such regional programs, with the exception of the Chesapeake Bay and the Great Lakes. Those two programs would be cut to 90 percent below the fiscal 2017 enacted levels.

The Chesapeake Bay regional cleanup effort would receive \$7.3 million in fiscal 2019, down from the fiscal 2017 level of \$73 million level, and the Great Lakes regional effort would receive \$30 million, down from \$300 million in fiscal 2017. The Trump administration proposed to eliminate those programs as well in its 2018 budget request, but Congress kept the funding.

Sen. Debbie Stabenow (D-Mich.) vowed to fight to restore that funding for the Great Lakes Restoration Initiative.

"This is outrageous," Stabenow said in a Feb. 12 statement. "People across Michigan spoke out and took action last year to stop these cuts and I know they'll do so again."

State water pollution programs also would get less funding under the Trump administration's budget plan. The White House is proposing \$153 million for those EPA-funded programs, 33 percent below the enacted fiscal 2017 levels.

State Grant Cuts Sought

Trump also took aim once again at funding for state grants to reduce nonpoint source pollution, which comes from diffuse sources such as land runoff. His EPA budget proposal would

eliminate funding for them in fiscal 2019.

The agency “will continue to coordinate with the United States Department of Agriculture to target funding where appropriate to address nonpoint sources,” the administration said in its EPA budget request.

The White House also is proposing to eliminate funding for beach protection, contending that local governments have acquired expertise and procedures to carry out this program without federal funding and technical assistance.

Whether the EPA will actually see an overall cut in those programs or its overall fiscal 2019 budget will depend in part on how Congress allocates increased spending it approved as part of a two-year budget deal that boosted both domestic and defense spending. The White House included an addendum in its budget plan released Feb. 12 to reflect that infusion of funds.

The EPA addendum would provide a boost of \$724 million to the EPA, which is included in the \$6.15 billion the White House requested in total. The White House proposed to use the additional funding for Superfund sites and EPA-funded state and tribal grants for drinking water and wastewater infrastructure projects.

Fees Boost Chemical Program

The EPA’s chemicals program would see an increase in funding under the budget request, thanks to expected fees from the chemical industry.

The EPA requested \$58.6 million for the chemicals program, which would represent an 8.8 percent cut from fiscal 2017 enacted levels. However, the EPA anticipates it would more than make up that difference through fees from chemical manufacturers, importers, and processors.

Updates to the nation’s chemicals law authorized those fees to help defray agency costs. The EPA recently proposed a fee rule that presumes the agency would collect about \$20 million annually.

The Wall Street Journal

<https://www.wsj.com/articles/u-s-crude-output-expected-to-outpace-demand-iea-says-1518512404>

Shale Output Hasn't Grown This Fast Since Oil Was At \$100

By Christopher Alessi, 2/13/18

LONDON—U.S. shale companies are churning out crude oil at a record pace that could overwhelm global demand and reverse the oil market's fragile recovery, a top energy-market observer said Tuesday.

U.S. shale production is growing faster in 2018 than it did even during the boom years of \$100 a barrel oil prices from 2011 to 2014, said the International Energy Agency in its closely watched monthly report. The difference this time: Oil prices are about 40% lower.

The situation is “reminiscent of the first wave of U.S. shale growth,” when a flood of American oil built up a global glut that sent prices crashing over four years ago, said the Paris-based IEA, which advises governments and corporations on energy trends.

Oil prices fell after the report's release in Europe before recovering somewhat. Brent, the international benchmark was down 0.06% at \$62.55 while U.S. prices were down 0.27% at \$59.13.

Shale producers “cut costs dramatically” during the nearly three-year-long oil industry downturn, the IEA said. They then took advantage of the Organization of the Petroleum Exporting Countries cartel's decision to cut its own output, which helped prices rise from the low \$40s to over \$70 a barrel as recently as late last month.

“All the indicators that suggest continued fast growth in the U.S. are in perfect alignment,” the IEA said.

The result has been a series of milestones for U.S. oil production, which surpassed 10 million barrels a day for the first time since 1970 and is now higher than Saudi Arabian output. The IEA said the U.S. could catch up with Russia this year, the world’s biggest producer at 11 million barrels a day.

Led by U.S. shale companies, crude output from non-OPEC nations is expected to outpace the growth in oil demand in 2018, the IEA said. That is an important data point for oil traders who have been watching to see if shale production could catch up to robust demand that has been fueled by a strong global economy.

“U.S. shale is growing as sharply as it was in 2013-2014,” said Bjarne Schieldrop, chief commodities analyst at SEB Markets. But the situation is different now because of the OPEC-led agreement to curb production, Mr. Schieldrop added.

OPEC and 10 other countries including Russia—whose combined output accounts for over 55% of global supply—have been steadfast in their resolve to cut output. These countries have cut far more than the 1.8 million barrels a day they promised, according to the IEA.

The shale-oil growth will apply downward pressure on prices in the coming weeks. But as long as OPEC sticks to the deal, there won’t be a dramatic correction like there was in 2014, when prices fell from \$114 a barrel to less than \$70, Mr. Schieldrop said. Demand for OPEC oil “is not going to decline this year,” he said.

Until two weeks ago, oil prices had risen almost nonstop for over six months.

The optimistic sentiment was driven not only by OPEC but also by strong economic news, geopolitical flare-ups in Iraq, Saudi Arabia and Iran, and supply outages in Venezuela and the U.K. Oil storage levels—a gauge of a still-existing oversupply—have come down.

The IEA said commercial oil inventories in the Organization for Economic Cooperation and Development—a group of industrialized, oil-consuming nations, including the U.S.—fell by 55.6 million barrels in December, in the largest drop since 2011.

“The huge drop in inventories is a bullish signal,” said Giovanni Staunovo, commodities analyst at UBS Wealth Management.

But inventory levels in the U.S. have begun to rise again, after months of falling, as U.S. output rises.

U.S. crude output in January climbed by 1.3 million barrels a day compared with a year earlier, according to the IEA. Shale output accounted for much of those gains and is forecast to grow 1.25 million barrels a day on its own in 2018—its fastest rate ever, the IEA said.

The numbers represent a turnaround for a U.S. shale industry that was once dismissed as too high-cost to survive when oil prices fell from their peak several years ago.

Bloomberg

<https://www.bloomberg.com/news/articles/2018-02-12/americans-expect-biggest-pay-jump-in-years>

Americans Expect Biggest Pay Jump In Years

By Matthew Boesler, 2/12/18

Americans are more optimistic about wage growth than they have been in years. U.S. consumers anticipate earnings will rise 2.73 percent in the coming year, the most since data collection began in 2013, according to the results of a New York Fed survey released Monday and conducted last month. January was only the third month in the survey’s 56-month history in which expected wage growth topped expected consumer price inflation, which fell slightly, to 2.71 percent.

The Wall Street Journal

<https://www.wsj.com/articles/trumps-big-public-works-dig-1518481073>

Trump's Big Public Works Dig

By The Wall Street Journal Editorial Board, 2/12/18

The White House on Monday unveiled its plan to raise \$1.5 trillion in capital for public works. This will cause sticker shock among Republicans, but the President's innovative regulatory reforms deserve debate and may even garner some Democratic support.

President Trump is proposing to spend \$200 billion in federal funds to leverage \$1.3 trillion in state, local and private investment in public works. This bid is probably dead on arrival since Republicans have little appetite for more spending after blowing the budget sequestration caps last week.

Many bridges and airports need a face-lift, though claims of crumbling roads are overwrought and often politically motivated. One problem is that public works like other discretionary programs are being squeezed by entitlements, which constitute nearly two-thirds of federal spending. But even while politicians in Washington gripe that we—always the royal “we”—don't spend enough on public works, they consistently prioritize other discretionary programs.

Consider: Of the \$787 billion stimulus in 2009, only about \$60 billion financed public works. Most was spent on safety-net programs and other progressive causes. More Hurricane Sandy recovery money went to “community development” than repairing train tunnels.

Many projects that do receive federal funding aren't national priorities, such as California's bullet train. That's because the government typically awards “competitive” grants to politically favored projects rather than those that would produce the biggest economic benefits. The Obama Administration rigged cost-benefit analysis to reward projects that would promote public housing and reduce carbon emissions.

Mr. Trump's plan includes \$100 billion in "incentives" to spur state and private investment; \$50 billion for rural projects; \$30 billion in revolving federal credit and capital funds; and \$20 billion for "bold and innovative projects" that may not attract private investment "because of the project's unique characteristics." By any other name, this is a national infrastructure bank synonymous with cronyism.

State and local governments have shown they're willing to finance worthwhile projects. According to the Pew Charitable Trusts, more than half of states have raised gas taxes over the past five years to pay for public works. Many innovative projects have no trouble attracting private investment. Consider the Cadiz pipeline, which aims to move 16.3 billion gallons of groundwater each year from the Mojave Desert to Southern California. Or the new desalination plant in Carlsbad, Calif.

Mr. Trump and Congress should instead focus new federal funding on national or regional priorities such as improving port security and repairing the Hudson River train tunnels, which would benefit most of the Northeast. Congress could also shift from categorical and competitive grants to block grants that give governors flexibility. This would also make state and local politicians more accountable for their spending. Let California Gov. Jerry Brown choose between spending billions more on his bullet train in the Central Valley or improving commuter rail in the Bay Area.


The real earth-moving parts of Mr. Trump's plan are the regulatory reforms, some of which will need to be fleshed out. The President wants to establish "one agency, one decision" for environmental reviews that would avoid regulatory hop-scotch. Good idea. Mr. Trump also suggests reducing environmental reviews to two years that can now drag out for a decade. Even many Democrats would like to expedite their favorite projects that have been grounded due to the discovery of a tiger salamander or other endangered species.


Another idea with merit is delegating environmental review and permitting decisions to states. California has been assigned these responsibilities under agreements with the Federal Highway Administration, as have Texas, Florida and Ohio. According to Gov. Brown, California has reduced the approval process from the "notice of intent to final environmental impact statement" on highway projects on average by 10 years.


Tucked into the plan is modest flexibility on Buy America requirements and Davis-Bacon, which requires contractors on federal projects to pay workers prevailing wages set by unions. These raise construction costs. While this flexibility is commendable, Mr. Trump's plan will also require tens of thousands of more workers. The Associated General Contractors of America reported last month that 78% of contractors had a hard time hiring. Apprenticeships can make up some of the shortage, but the government will need to increase H-2B visas to avoid delays or exorbitant project costs.

Democrats are ripping the President's plan, and no doubt many think they can get more money if they win control of Congress in November. But they shouldn't be so sure. President Trump deserves credit for opening a debate in Congress about why merely spending more on public works won't help the public.

TRUMP TWEETS

**Donald J. Trump** • @realDonaldTrump · 3h
Negotiations on DACA have begun. Republicans want to make a deal and Democrats say they want to make a deal. Wouldn't it be great if we could finally, after so many years, solve the DACA puzzle. This will be our last chance, there will never be another opportunity! March 5th.
7.7K 7.5K 32K

**Donald J. Trump** • @realDonaldTrump · 3h
Our infrastructure plan has been put forward and has received great reviews by everyone except, of course, the Democrats. After many years we have taken care of our Military, now we have to fix our roads, bridges, tunnels, airports and more. Bipartisan, make deal Dems?
7.3K 8.6K 37K

**Donald J. Trump** • @realDonaldTrump · 17h
The journey to #MAGA began @CPAC 2011 and the opportunity to reconnect with friends and supporters is something I look forward to every year. See you at #CPAC2018!
9.6K 11K 52K

To: Grantham, Nancy[Grantham.Nancy@epa.gov]
Cc: Gray, David[gray.david@epa.gov]
From: Bowman, Liz
Sent: Wed 12/20/2017 2:19:19 AM
Subject: Re: Bird Creek folo

What?! That makes me unbelievably sad.

Sent from my iPhone

On Dec 19, 2017, at 8:24 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Yes - sadly he announced his retirement at the Monday senior staff meeting

Sent from my iPhone

On Dec 19, 2017, at 7:11 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Of course but exit?! He isn't retiring is he?

Sent from my iPhone

On Dec 19, 2017, at 6:47 PM, Gray, David <gray.david@epa.gov> wrote:

Would you be okay with Sam doing an exit piece with the Tulsa World?

Sent from my iPhone

Begin forwarded message:

From: "Bostian, Kelly" <Ex. 6 - Personal Privacy>
Date: December 19, 2017 at 5:34:06 PM CST
To: "Gray, David" <gray.david@epa.gov>
Subject: RE: Bird Creek folo

Wow.. I'd love to interview him about his time with EPA...
Good guy, is my impression.

Later in the week is fine. Let me know a time and I'll make it work.

Thanks,
Kellky

Kelly Bostian
Outdoors Writer
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twitter | Ex. 6 - Personal Privacy
blog | tulsaworld.com/KellyBostian
email | Ex. 6 - Personal Privacy

From: Gray, David [gray.david@epa.gov]
Sent: Tuesday, December 19, 2017 3:56 PM
To: Bostian, Kelly
Subject: RE: Bird Creek folo

Kelly,

I just saw your note. Let's connect later this week. BTW - Sam has announced his retirement on January 2. Lucky for us - he stayed on as long as he did (his retirement has been planned for over a year) but he announced this week.

David

-----Original Message-----

From: Bostian, Kelly [<mailto:> Ex. 6 - Personal Privacy]
Sent: Tuesday, December 19, 2017 3:16 PM
To: Gray, David <gray.david@epa.gov>
Subject: Bird Creek folo

Hi David,

Editors have me working on a Bird Creek folo this week to run probably the week between the holidays. Our first story on this ran Jan. 3, 2017 so we're looking for a year-later sort of perspective.

I talked with Warren American and Dr. Sublette about the pumping and monitoring experiment they did the past couple of weeks and am in need of the EPA perspective on the regulatory process and how their cleanup idea fits with the process for the shut-in orders. Sounds like Sublette has recommended a 2nd and even a 3rd pumping that could be done months from now, depending on rain events (or lack thereof).

Hope to hear from you soon this.
(as a side note I'm at Tar Creek Site on Wednesday afternoon and may be touching base with you on that as well this week).
Thanks,
Kelly

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twitter | Ex. 6 - Personal Privacy
blog | [tulsaworld.com/KellyBostian](http://www.tulsaworld.com/KellyBostian)<<http://www.tulsaworld.com/blog>>
email | Ex. 6 - Personal Privacy>

To: Abboud, Michael[abboud.michael@epa.gov]
From: Bowman, Liz
Sent: Mon 1/29/2018 8:05:52 PM
Subject: RE: FOX23 Request: Tar Creek

Good, thank you for managing. Can you reply to the reporter and let him know you will get back to him (if you haven't already).

From: Abboud, Michael
Sent: Monday, January 29, 2018 3:05 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: Re: FOX23 Request: Tar Creek

Waiting to hear back from him now.

Sent from my iPhone

On Jan 29, 2018, at 3:04 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Thanks, did you talk with David Grey?

From: Abboud, Michael
Sent: Monday, January 29, 2018 2:46 PM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: FOX23 Request: Tar Creek

I'll handle.

From: Ferguson, Lincoln
Sent: Monday, January 29, 2018 2:42 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>;
Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>;
Daniell, Kelsi <daniell.kelsi@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: FW: FOX23 Request: Tar Creek

From: Andes, Natalie (CMG-TulsaTV) [<mailto:> **Ex. 6 - Personal Privacy**]
Sent: Monday, January 29, 2018 2:40 PM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: FOX23 Request: Tar Creek

Hi Lincoln.

I ran across a Tulsa World report that says that the EPA is asking people in Picher about the Tar Creek Superfund site. Can you tell me if that's true? If so, what is being asked of the residents in the survey? When are the results due? What's the project this is related to? What is the goal of the survey?

Thank you,

Natalie

Natalie Andes | FOX23 Assignment Manager

Ex. 6 - Personal Privacy

<image001.jpg>

This email (including any attachments) may contain material that is confidential and for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

To: Abboud, Michael[abboud.michael@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Block, Molly[block.molly@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Hewitt, James[hewitt.james@epa.gov]
From: Bowman, Liz
Sent: Mon 1/29/2018 8:04:45 PM
Subject: RE: FOX23 Request: Tar Creek

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To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
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Natalie

Natalie Andes | FOX23 Assignment Manager

Ex. 6 - Personal Privacy



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I talked with Warren American and Dr. Sublette about the pumping and monitoring experiment they did the past couple of weeks and am in need of the EPA perspective on the regulatory process and how their cleanup idea fits with the process for the shut-in orders. Sounds like Sublette has recommended a 2nd and even a 3rd pumping that could be done months from now, depending on rain events (or lack thereof).

Hope to hear from you soon this.

(as a side note I'm at Tar Creek Site on Wednesday afternoon and may be touching base with you on that as well this week).

Thanks,
Kelly

Kelly Bostian
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To: Coleman, Sam[Coleman.Sam@epa.gov]
From: Bowman, Liz
Sent: Thur 7/27/2017 10:48:38 PM
Subject: RE: Weekly Update

Thank you, Sam. I appreciate getting this report.

From: Coleman, Sam
Sent: Thursday, July 27, 2017 6:25 PM
To: Weekly Report Group <Weekly_Report_Group@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cleland-Hamnett, Wendy <Cleland-Hamnett.Wendy@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Shapiro, Mike <Shapiro.Mike@epa.gov>; Kenny, Shannon <Kenny.Shannon@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>
Subject: Weekly Update

Update 7 27 17

UPCOMING HOT ISSUES AND IMPORTANT DEADLINES

Bird Creek, Pawhuska, Oklahoma

Sampling of all surface water bodies was completed by July 1st. Samples were sent by chain of custody to the Houston Laboratory for analysis. Data was also downloaded from the 18 surface water monitors, which were put in place to detect any changes in total dissolved solids during the time injection wells were shut-in. Most analytical results from the Houston Lab have been provided to the regional UIC and enforcement programs for review. EPA is working on a communications strategy to notify impacted parties of the monitoring results and next steps. A second round of data from the 18 surface water monitors is being collected this week. EPA contacted the operators of 7 wells within 1 mile of the seeps in Bird Creek to ask them to voluntarily shut in their injection wells. We found that the Mississippi chat formation was highly pressurized and likely in communication with the surface due to injection. Further review is underway to determine if the shut in area needs to be expanded.

-

Tar Creek, Picher, Oklahoma

EPA intends to continue field sampling to fill data gaps related to characterization of and potential risk related to sediment and surface water within the Tristate Watershed investigation area. The sampling is being accomplished through joint coordination and cooperation with Region 7; the states of Oklahoma, Missouri and Kansas; the Quapaw, Peoria, Ottawa, Miami, Eastern Shawnee, Wyandotte, Seneca-Cayuga, and Cherokee tribes; and other federal and state agencies (U.S. Fish and Wildlife, U.S. Geological Survey, Oklahoma Department of Wildlife).

The Quapaw Tribe Environmental Office will continue source material excavation at Distal 10 and hauling to the central repository. Site preparation (i.e., grubbing, haul roads) will continue at Distal 12. The Quapaw Tribe Environmental Office will continue confirmation sampling at Distal 10, under cooperative agreements with the EPA. The Oklahoma Department of Environmental Quality will continue the remedial action work at Beaver Creek under a cooperative agreement with the EPA. The ODEQ will also continue the preparation of the Operable Unit (OU) 2 (Residential) Commerce remedial action work plan and cost estimate, and continue planning for the public meeting currently scheduled for August 15, 2017.

Hope Iron and Metal, Hope, Arkansas

EPA intends to continue on-site removal activities at the Hope Iron and Metal Superfund Site. All grids with soil contamination on-site are currently excavated. Removal activities for contaminated soil began on two residential properties adjacent to the site. Restoration activities on-site are 90 percent complete. Completion is expected in early August.

Ruiz Foods Facility, Denison, Texas

EPA intends to conduct a Clean Air Act Risk Management Program inspection of the Ruiz Foods facility in Denison, TX. The regulated facility is classified as a *High Risk facility* and is also part of the National Enforcement Initiative for ammonia.

Rowlett Creek Regional Waste Water Treatment Plant Facility, Denison, Texas

EPA intends to conduct a Clean Air Act Risk Management Program inspection of the Rowlett Creek Regional Waste Water Treatment Plant facility in Denison, TX. The regulated facility is classified as a *High Risk facility* for chlorine.

Fort Hood Army Base, Killeen, Texas

EPA intends to conduct a RCRA Compliance Evaluation Inspection at Fort Hood Army Base.

The purpose of the inspection is to determine whether Fort Hood is compliant with RCRA regulations, and confirm the hazardous waste operating status of the facility. Under the Federal Facility Compliance Act of 1992, EPA or its representatives are required to inspect every Federal Facility that treats, stores or disposes of hazardous waste. Fort Hood was identified as a facility that should be inspected, based on Region 6 data mining evaluation, a technique on which the States have been trained. The Texas Commission on Environmental Quality (TCEQ) was invited to participate in this inspection, but advised Region 6 that we should proceed without them.

-

Vallourec Star, LP, Houston, Texas

EPA intends to conduct a Compliance Evaluation Inspection at the Vallourec Star tubular goods Facility in Houston, Texas. The facility's wastewater operations will be evaluated in accordance with the CWA for capacity, management, operations, and maintenance in order to protect public health and the environment. Compliance with permit conditions, the accuracy of information submitted, and the adequacy of sampling and monitoring conducted will also be evaluated. The investigation is part of the EPA's National Industrial Wastewater Initiative (NEI). TCEQ inspectors were notified of the inspection and invited to participate.

-

Odfjell Terminals, Seabrook, TX

EPA intends to send an *information request letter* to Odfjell Terminals in Seabrook, TX to evaluate remedies for potential noncompliance concerning the facilities' flare operations. Emissions from improperly operated flares are a large source of air toxics and pose a risk to public health. The facility has a history of noncompliance related to flaring. Region 6 plans to issue the information request letter on August 7, 2017. The Region will notify TCEQ before issuing the letter.

Chevron Phillips Chemical, Pasadena, TX

EPA intends to send an *information request letter* to Chevron Phillips Chemical facility in Pasadena, TX to evaluate remedies for potential noncompliance concerning the facilities' flare operations. Emissions from improperly operated flares are a large source of air toxics and pose a risk to public health. The facility has a history of noncompliance related to flaring. TCEQ will be notified before issuing the letter.

Shell Offshore, Inc., New Orleans, LA

EPA intends to send an *information request letter* to Shell Offshore, Inc., New Orleans, LA, to evaluate RCRA compliance of Shell Offshore's offshore facilities in the Gulf of Mexico. The letters will be issued in the next two weeks.

Xutapa Properties LLC, Pawhuska, Oklahoma

EPA intends to issue a *public notice* for a Consent Agreement and Final Order (CAFO) to Xutapa Properties, LLC (Respondent). The US EPA Administrative Complaint alleged that inspection observations show the Respondent maintained seven injection wells located in the Landon Field of the Osage Mineral Reserve in Osage County, Oklahoma, in a manner that may allow movement of fluids into underground sources of drinking water. The CAFO requires Respondent to pay an administrative penalty of \$42,500.00 for violations of Section 1423 of the Safe Drinking Water Act, 42 U.S.C. 300h-2(e) and failure to comply with an EPA Administrative Compliance Order. Comments will be solicited for 30 days.

-

Falcon Refinery Superfund Site, Port Aransas, Texas

EPA intends to issue a *public notice* for the proposed plan for Operable Unit O1 (Site Wide Groundwater) for the Falcon Refinery site. EPA is taking public comments on its preferred remedial approach of no action for the shallow groundwater at the site. The comment period should be completed on August 30, 2017.

Jones Road Groundwater Plume Superfund Site, Houston, Texas

EPA intends to issue *public notice* for the proposed plan to select a remedy for two soil zones which are continuing sources of contaminants to groundwater at the Jones Road site, Harris County, Texas. The public comment period will be completed on September 5, 2017.

-

Fruit Avenue Plume Superfund Site, Albuquerque, New Mexico

EPA intends to issue a *public notice* for the Proposed Plan for a Record of Decision for the Fruit Avenue Plume Superfund Site. EPA is taking public comments to expand the use of Monitored Natural Attenuation as the site-wide remedy for the ground water plume. This alternative will allow for the decommissioning of the existing pump and treat facilities, and return the property to the city. The alternative also facilitates the reuse of the property and promote further redevelopment in the area. The comment period is scheduled to run through August 28, 2017.

RKR Feeders, LLC., Clayton, New Mexico

EPA intends to issue a *public notice* for the proposed permit seeking renewal of coverage under the New Mexico CAFO General Permit. The comment period is scheduled for 30 days.

RFL Clayton, Clayton, New Mexico

EPA intends to issue a *public notice* for the proposed permit seeking renewal of coverage under the New Mexico CAFO General Permit. The comment period is scheduled for 30 days.

Clayton Cattle Feeders, Clayton, New Mexico

EPA intends to issue a *public notice* for the proposed permit seeking renewal of coverage under the New Mexico CAFO General Permit. The comment period is scheduled for 30 days.

Jackpile-Paguate Uranium Mine Site, Laguna Pueblo, NM - Site Visit & Scoping Meeting

On August 2–3, 2017, EPA plans to meet with Atlantic Richfield and the Pueblo of Laguna to discuss scoping document deliverables and planning activities associated with the Remedial Investigation/Feasibility Study (RI/FS) for the site. Members intend to participate in a pre-site tour discussion and a site visit of the former mine. Activities will close with a wrap-up discussion. EPA intends to gain a better understanding of the strategies Atlantic Richfield will use while conducting the RI/FS after collaboration on proposed approaches for expediting and maximizing resources. Discussion will also include the Pueblo community outreach needs, working with the technical team and scheduling a potential community Open House in September 2017.

Final Approval for April 2017 Updates to the State of Texas Water Quality Management Plan (WQMP). The week of July 24-28, 2017, the Water Division plans to approve updates to the Texas Water Quality Management Plan (TX WQMP) submitted by TCEQ. The WQMP update was developed by TCEQ staff pursuant to Section 26.036 and 26.037 of the Texas Water Code and satisfies federal Water quality management planning regulations and grant requirements under Sections of the Clean Water Act. The WQMP update has been reviewed by local planning agencies, appropriate state agencies, and TCEQ staff. The TCEQ held a public comment period as required by Section 26.037 of the Texas Water Code and federal regulations.

UPCOMING PUBLIC EVENTS

August 3 – Texas Environmental Law Superconference, Austin, Texas. Acting RA will keynote.

August 8 – State Environmental Directors’ Meeting, Dallas, Texas (Tentative)

September 11–13 – National Air Quality Conference, Austin, Texas. Attendees will learn the latest information on air quality forecasting and mapping.

September 12-14 – US Mexico Border National Coordinator Meeting, Mexico City, Mexico

September 17-21 - 19th Annual Stormwater Conference in San Antonio, TX. The Conference will inform and educate professionals on controls that can address water pollution

October 27 – Arkansas Environment Federation 50th Annual Convention, Hot Springs, AR. Acting RA will keynote.

UPCOMING DECISIONS

Arkansas Regional Haze

Arkansas proposed its SIP addressing a portion of the Regional Haze requirements on July 12, 2017, and submitted to EPA for parallel processing. EPA will act expeditiously to propose the SIP. On July 13, 2017, EPA’s Narrow FIP revision was published in the Federal Register to extend the NO_x compliance dates by 21 months to January 27, 2020. The extension was

requested by industry to provide them certainty that they have time to work with EPA and the State on a Regional Haze SIP without the compliance clock running down. EPA also continues to track the national CSAPR remand action as the Arkansas Regional Haze SIP depends on the NOx CSAPR for BART.

Texas Regional Haze

Region 6 is preparing documents for the Administrator on a Texas Regional Haze Intrastate Trading Program BART SIP. EPA is using all available resources to develop the Federal Action by September 9. EPA has a September 9 CD deadline that requires EPA to finalize a plan.

PAST WEEK ACCOMPLISHMENTS

Public Water System Supervision Program Revision for the State of Louisiana

EPA intends to approve the State of Louisiana revisions to its approved Public Water System (PWSS) program for the Revised total Coliform Rule and the Groundwater Rule. EPA has determined that the RTCR and GWR primacy applications submitted are no less stringent than the corresponding federal regulations and therefore an approval is warranted.

Proposed Rule and Direct Final Rule for the Arkansas Hazardous Waste Program

EPA approved a direct final rule that proposes to authorize the State of Arkansas for State-initiated changes to their hazardous waste program and codifying the State's base hazardous waste program revisions. EPA is publishing this rule without prior proposal because the actions are not controversial and no opposition is expected.

PENDING ACTIONS (Pending Federal Register Publication)

Arkansas Final Authorization of State-initiated Changes and Incorporation by Reference of State Hazardous Waste Management Program (EPA-R06-0680)

Samuel Coleman, P.E.

Deputy Regional Administrator

EPA Region 6

coleman.sam@epa.gov

214.665.2100 Ofc

214.665.3110 Direct

214.789.2016 Cell

To: Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Bowman, Liz
Sent: Thur 1/18/2018 1:18:35 AM
Subject: Fwd: Tar Creek audit lawsuit

Do you need help w this?

Sent from my iPhone

Begin forwarded message:

From: Mike Soraghan <Ex. 6 - Personal Privacy>
Date: January 17, 2018 at 6:01:30 PM EST
To: "Liz Bowman (Bowman.Liz@epa.gov)" <Bowman.Liz@epa.gov>, "ferguson.lincoln@epa.gov" <ferguson.lincoln@epa.gov>
Subject: Tar Creek audit lawsuit

Mr. Bowman, Mr. Ferguson,

Hi. The state auditor of Oklahoma has filed a response in the open records lawsuit seeking release of the Tar Creek audit. He is asking for a court order to release it. He also alleges that Mr. Pruitt had already released it to the LICRAT board. I cannot tell at this point if he is alleging that that release to the LICRAT board was improper.

Please let me know if EPA or Administrator Pruitt has any comment.

Thank you,

Mike Soraghan

E&E News reporter

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy (office and mobile)

Ex. 6 - Personal Privacy

E&E NEWS

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

To: Hewitt, James[hewitt.james@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Konkus, John[konkus.john@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Bowman, Liz
Sent: Mon 12/11/2017 2:54:04 PM
Subject: RE: FOR APPROVAL//EPA News Highlights 12.11.17

Good, thanks

From: Hewitt, James
Sent: Monday, December 11, 2017 9:05 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>
Subject: FOR APPROVAL//EPA News Highlights 12.11.17

EPA News Highlights 12.11.17

Portland Tribune: EPA targeting Portland Superfund site for 'immediate, intense' attention

The Environmental Protection Agency says its targeting the Portland Harbor Superfund Site in the Willamette River for immediate attention. The EPA announced Friday that the Portland Harbor Superfund Site is one of 21 sites it plans to target across the country. In a statement, EPA Administrator Scott Pruitt says he's asking Superfund Task Force staff to immediately develop plans for cleanup at the sites, though environmentalists say they want more information about what the cleanup process will look like. "It would be a good thing to get this cleanup moving as quickly as possible and bring this harbor back to health," said Bob Sallinger, conservation director with the Audubon Society of Portland. "But that cannot mean cutting corners and letting polluters off the hook and lowering the cleanup standard."

KPAX: EPA names Butte and Anaconda as priority Superfund sites

The U.S. Environmental Protection Agency named the Silver Bow Creek/Butte area and the Anaconda Smelter Superfund sites as two of the 21 top priorities in the nation for cleanup. The sites on the list will be targeted for immediate and intense attention. For the Silver Bow Creek/Butte area, the EPA has taken steps to accelerate negotiations and set a deadline for an agreement to ensure stormwater controls along Silver Bow and Blacktail creeks as well as

review the water treatment plant for the Berkeley Pit. At the Anaconda Smelter site, the EPA has directed Atlantic Richfield to complete lead and arsenic sampling and cleanup of commercial and residential properties including another 1,000 homes over the next three years. The EPA also directed Atlantic Richfield to begin testing school grounds for lead and school interiors for lead and arsenic in the next few months.

The New York Times: Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers

Scott Pruitt, the E.P.A. administrator, has said the Trump administration's high-profile regulatory rollback does not mean a free pass for violators of environmental laws. But as the Trump administration moves from one attention-grabbing headline to the next, it has taken a significant but less-noticed turn in the enforcement of federal pollution laws. An analysis of enforcement data by The New York Times shows that the administration has adopted a more lenient approach than the previous two administrations — Democratic and Republican — toward polluters like those in East Liverpool. The Times built a database of civil cases filed at the E.P.A. during the Trump, Obama and Bush administrations. During the first nine months under Mr. Pruitt's leadership, the E.P.A. started about 1,900 cases, about one-third fewer than the number under President Barack Obama's first E.P.A. director and about one-quarter fewer than under President George W. Bush's over the same time period

The Associated Press: Providence superfund site among 2 priority from EPA

The U.S. Environmental Protection Agency says two sites in the Northeast are being prioritized for cleanup, including the Centredale Manor Restoration Project in North Providence. The project, the site of a chemical manufacturer from the 1940s to the 1970s, was among 21 nationwide slated for speedier cleanup and redevelopment under the superfund program, which provides federal resources to deal with some of the nation's most contaminated locations. The list was one of the recommendations put forth this summer by a superfund task force. The other site in the Northeast is the former Mohawk Tannery in Nashua, New Hampshire. Other sites on the list are in New Jersey, Montana, California, Missouri, Virginia, Kentucky, Mississippi, Indiana, Michigan, Nevada, Oklahoma, Texas, Iowa, Oregon and Washington.

National News Highlights 12.4.17

Reuters: One person in custody, several injured, in New York explosion

An explosion rocked New York's Port Authority, one of the city's busiest commuter hubs in

midtown Manhattan, during Monday morning's rush hour, injuring several people. Police confirmed one person is in custody but were not yet identifying the device used. Local news channel WABC cited police sources as saying a possible pipe bomb detonated in a passageway below ground at Port Authority. A police officer near the scene said: "There was an explosion under Port Authority somewhere in the subway. That's all we've got for now." Media reported several people were injured, and WPIX television reported, citing sources, that a man with a "possible second device" has been detained in the subway tunnel. New York City Mayor Bill de Blasio and President Donald Trump have been briefed on the incident, according to local media and the White House.

The Wall Street Journal: The Taxman Cometh: Senate Bill's Marginal Rates Could Top 100% for Some

Some high-income business owners could face marginal tax rates exceeding 100% under the Senate's tax bill, far beyond the listed rates in the Republican plan. That means a business owner's next \$100 in earnings, under certain circumstances, would require paying more than \$100 in additional federal and state taxes. As lawmakers rush to write the final tax bill over the next week, they already are looking at changes to prevent this from happening. Broadly, House and Senate Republicans are trying to reconcile their bills, looking for ways to pay for eliminating the most contentious proposals. The formal House-Senate conference committee will meet on Wednesday, and GOP lawmakers may unveil an agreement by week's end.

The Wall Street Journal: Americans Give Trump Higher Grades on Economy Than Overall

Although President Donald Trump's overall approval ratings have dropped to the lowest point of his presidency, he is getting significantly higher marks in one important area: his handling of the economy. With the U.S. unemployment rate holding at a 17-year low, hiring strong and the stock market hitting regular records, Mr. Trump is getting stronger reviews from the public on the economy, with 42% approving and 37% disapproving, according to the most recent Wall Street Journal/NBC News survey, conducted in late October. That stands in stark contrast to his overall approval rating, which dropped last week to 32%, the lowest point of his 11-month presidency, according to a Pew Research Center poll. His disapproval rating of 68% in the same survey was also a new high. The WSJ poll showed the president with a 38% approval rating, his lowest to date in this poll, while 58% disapproved of his overall performance.

TRUMP TWEETS

Portland Tribune

<http://portlandtribune.com/pt/9-news/380911-268495-epa-targeting-portland-superfund-site-for-immediate-intense-attention>

EPA targeting Portland Superfund site for 'immediate, intense' attention

By Ericka Cruz Guevarra, 12/10/17

The Environmental Protection Agency says its targeting the Portland Harbor Superfund Site in the Willamette River for immediate attention.

The EPA announced Friday that the Portland Harbor Superfund Site is one of 21 sites it plans to target across the country. In a statement, EPA Administrator Scott Pruitt says he's asking Superfund Task Force staff to immediately develop plans for cleanup at the sites, though environmentalists say they want more information about what the cleanup process will look like.

"It would be a good thing to get this cleanup moving as quickly as possible and bring this harbor back to health," said Bob Sallinger, conservation director with the Audubon Society of Portland. "But that cannot mean cutting corners and letting polluters off the hook and lowering the cleanup standard."

KPAX

<http://www.kpax.com/story/37036181/epa-names-butte-and-anaconda-as-priority-superfund-sites>

EPA names Butte and Anaconda as priority Superfund sites

By MTN News, 12/10/17

The U.S. Environmental Protection Agency named the Silver Bow Creek/Butte area and the Anaconda Smelter Superfund sites as two of the 21 top priorities in the nation for cleanup.

The sites on the list will be targeted for immediate and intense attention.

For the Silver Bow Creek/Butte area, the EPA has taken steps to accelerate negotiations and set a deadline for an agreement to ensure stormwater controls along Silver Bow and Blacktail creeks as well as review the water treatment plant for the Berkeley Pit.

At the Anaconda Smelter site, the EPA has directed Atlantic Richfield to complete lead and arsenic sampling and cleanup of commercial and residential properties including another 1,000 homes over the next three years.

The EPA also directed Atlantic Richfield to begin testing school grounds for lead and school interiors for lead and arsenic in the next few months.

Butte and Anaconda were the only two Montana sites to make the list. New Jersey was the only state with more sites on the priority list with three listed.

The New York Times

<https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html>

Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers

By Eric Lipton and Danielle Ivory, 12/10/17

The highway billboard at the entrance to town still displays a giant campaign photograph of President Trump, who handily won the election across industrial Ohio. But a revolt is brewing here in East Liverpool over Mr. Trump's move to slow down the federal government's policing of air and water pollution.

The City Council moved unanimously last month to send a protest letter to the Environmental Protection Agency about a hazardous waste incinerator near downtown. Since Mr. Trump took office, the E.P.A. has not moved to punish the plant's owner, even after extensive evidence was assembled during the Obama administration that the plant had repeatedly, and illegally, released harmful pollutants into the air.

"I don't know where we go," Councilman William Hogue, a retired social studies teacher, said in frustration to his fellow council members. "They haven't resolved anything."

Scott Pruitt, the E.P.A. administrator, has said the Trump administration's high-profile regulatory rollback does not mean a free pass for violators of environmental laws. But as the Trump administration moves from one attention-grabbing headline to the next, it has taken a significant but less-noticed turn in the enforcement of federal pollution laws.

An analysis of enforcement data by The New York Times shows that the administration has adopted a more lenient approach than the previous two administrations — Democratic and Republican — toward polluters like those in East Liverpool.

The Times built a database of civil cases filed at the E.P.A. during the Trump, Obama and Bush administrations. During the first nine months under Mr. Pruitt's leadership, the E.P.A. started about 1,900 cases, about one-third fewer than the number under President Barack Obama's first E.P.A. director and about one-quarter fewer than under President George W. Bush's over the same time period.

In addition, the agency sought civil penalties of about \$50.4 million from polluters for cases initiated under Mr. Trump. Adjusted for inflation, that is about 39 percent of what the Obama administration sought and about 70 percent of what the Bush administration sought over the same time period.

The E.P.A., turning to one of its most powerful enforcement tools, also can force companies to retrofit their factories to cut pollution. Under Mr. Trump, those demands have dropped sharply. The agency has demanded about \$1.2 billion worth of such fixes, known as injunctive relief, in

cases initiated during the nine-month period, which, adjusted for inflation, is about 12 percent of what was sought under Mr. Obama and 48 percent under Mr. Bush.

Resolving complicated pollution cases can take time, and the E.P.A. said it remained committed to ensuring companies obeyed environmental laws.

“E.P.A. and states work together to find violators and bring them back into compliance, and to punish intentional polluters,” the agency said in a statement. Officials said Mr. Pruitt was less fixated on seeking large penalties than some of his predecessors were.

“We focus more on bringing people back into compliance than bean counting,” the statement said.

After this article was posted, the E.P.A. issued a statement criticizing the report, and saying that “Administrator Scott Pruitt is committed to enforcement,” and that “there is no reduction in E.P.A.’s commitment to ensure compliance with our nation’s environmental laws.” (The full statement is [here](#).)

Confidential internal E.P.A. documents show that the enforcement slowdown coincides with major policy changes ordered by Mr. Pruitt’s team after pleas from oil and gas industry executives.

The documents, which were reviewed by The Times, indicate that E.P.A. enforcement officers across the country no longer have the authority to order certain air and water pollution tests, known as requests for information, without receiving permission from Washington. The tests are essential to building a case against polluters, the equivalent of the radar gun for state highway troopers.

At at least two of the agency’s most aggressive regional offices, requests for information involving companies suspected of polluting have fallen significantly under Mr. Trump, according to internal E.P.A. data.

In the last two complete fiscal years of the Obama administration, the E.P.A.'s office in Chicago sent requests for testing that covered an average of 50 facilities per year, or about 4.2 each month. By comparison, after the policy changes, one such request for a single facility was made in the subsequent four-month period. There was a similar decline in the Denver regional office, according to the data.

The enforcement slowdown has been compounded by the departure of more than 700 employees at the E.P.A. since Mr. Trump's election, many of them via buyouts intended to reduce the agency's size, and high-level political vacancies at the E.P.A. and the Justice Department. The agency's top enforcement officer — Susan Bodine — was confirmed only late last week.

Separately, Mr. Pruitt's team has told officials and industry representatives in Missouri, North Dakota and other states that E.P.A. enforcement officers will stand down on some pollution cases, according to agency documents. The retrenchment is said to be part of a nationwide handoff of many enforcement duties to state authorities, an effort Mr. Pruitt calls cooperative federalism but critics say is an industry-friendly way to ease up on polluters.

Current and recently departed E.P.A. staff members said the new direction has left many employees feeling frozen in place, and demoralized, particularly in the regional offices, which have investigators who are especially knowledgeable of local pollution threats.

"Certain people who are polluting are doing it with impunity right now and I think it is horrible," said Nicole Cantello, an E.P.A. lawyer in the Chicago office, who has worked at the agency for 26 years.

Ms. Cantello agreed to speak to The Times because she is protected by her status as a union official. The E.P.A. did not authorize agency employees to speak.

The Times asked top E.P.A. enforcement officials from the Obama and Bush administrations to review The Times's data, analysis and methodology. (Read more about The Times's methodology [here](#).) They said the slowdown signaled a sea change in enforcement under Mr. Trump.

“Those kinds of numbers are stark,” said Granta Nakayama, a lawyer who served in the Bush administration as assistant administrator for the E.P.A.’s enforcement office and who now represents companies facing E.P.A. enforcement actions for the law firm King & Spalding, where he oversees the environmental practice.

“If you’re not filing cases, the cop’s not on the beat,” he said. “Or has the cop been taken off the beat?”

Cynthia Giles, the former assistant administrator for the E.P.A.’s enforcement office during the Obama administration, also prepared a separate version of the data. She described as a “stunning decline” the reduced efforts under Mr. Trump to require companies to bring their facilities into compliance with pollution laws.

“The Pruitt E.P.A. is cratering on the enforcement work that matters most: holding the biggest polluters accountable,” said Ms. Giles, now a director at the Energy & Environment Lab at the University of Chicago.

Some enforcement experts suggested that the E.P.A. under Mr. Pruitt might have filed fewer cases because it was going after larger penalties. But according to the Times analysis, most of the top penalties were smaller than those in the previous two administrations. And the nine-month window included the single largest civil case filed by the E.P.A., against Exxon Mobil.

On a midsummer afternoon in 2013, boiler ash and steam blasted through a breach at the Heritage Thermal Services hazardous waste incinerator, spewing hundreds of pounds of ash into a nearby neighborhood in East Liverpool and setting off a series of small fires at the plant.

Tests later showed that the ash, which looked like dirty clumps of cotton candy scattered across rooftops and lawns, contained toxic chemicals. In some samples, lead and arsenic were found at concentrations that “could pose a hazard to small children,” according to an Ohio Department of Health report. Heritage Thermal went door to door offering to wash people’s houses and replace vegetables in their gardens.

Sandra Estell, 64, who lives on a river bluff overlooking the plant, said the ash covered her brother's Chevy Blazer and blanketed the street where she grew up. Even when the plant operates normally, she said, she smells the incinerator from her home — with the odor changing from rotten eggs to an electrical fire to something difficult to place.

Truckloads of hazardous waste often sit in the parking lot outside the plant, awaiting disposal. On the day of the accident in 2013, the plant was burning through a load of waste sent from an oil refinery in Toledo.

“It really just scares me,” Ms. Estell said of the incinerator.

The plant falls under the jurisdiction of the E.P.A. regional office in Chicago, which moved quickly to investigate the episode as a possible violation of the Clean Air Act, federal records show.

Investigators sent Heritage Thermal's general manager what is known as a Section 114(a) request for detailed information on the explosion. Failing to answer the questions, warned George T. Czerniak, who was then the E.P.A.'s Chicago-based director of the air and radiation division, could result in punishment.

Heritage Thermal complied within weeks, and also disclosed that the plant had faced a series of related problems when pressure inside the incinerator had climbed to dangerous levels. Mr. Czerniak asked for more information about those episodes, and by March 2015 he had signed a formal letter of complaint, alleging a series of Clean Air Act violations that would very likely result in fines, as well as possible civil or criminal action.

“We are offering you an opportunity to confer with us about the violations,” Mr. Czerniak wrote in the letter. “You may have an attorney represent you at this conference.”

More than two and a half years later, the matter remains unresolved, leading to the letter of complaint to the E.P.A. last month from the East Liverpool City Council. The body is dominated by Democrats, but it says its motivation in criticizing the E.P.A. is based on concerns about public safety and not partisan politics.

John Mercer, a City Council member, said taking on air pollution issues at Heritage Thermal has been a delicate matter because the area has lost thousands of jobs as steel and pottery manufacturing plants closed. "Heritage Thermal is one of the city's largest employers," he said. "We are all friends and neighbors with those that work there."

Still, he said, residents want the matter resolved. "Our constituents deserve answers that no one seems to want to provide," he said.

A spokesman for the E.P.A. declined to comment on the case's status, as did Christopher T. Pherson, president of Heritage Thermal. The company said in a statement that it "is committed to continuously enhancing its performance and environmental compliance."

Ms. Estell, who was critical of the plant even before it opened in the 1990s for being built near homes, blames the change in administrations in Washington for the inaction. "Something made them slam on the brakes," she said.

Every administration runs into delays when investigating and enforcing environmental laws, and it is hard to pinpoint why any particular case might stall without access to confidential E.P.A. files. But the lack of action in East Liverpool mirrors a pattern of sluggish new enforcement activity under the Trump administration, as represented in data analyzed by The Times.

The Times identified more than a dozen companies or plants like Heritage Thermal that received notices of violation toward the end of the Obama administration, but as of late November had not faced E.P.A. penalties. The findings were based on agency files released through a Freedom of Information Act request to the Environmental Integrity Project, a nonprofit group run by a former E.P.A. enforcement chief.

Indiana Harbor Coke in East Chicago, Ind., has received at least three warning notices since 2015 for pollution violations, including hundreds of illegal emissions of lead, which can cause serious health problems, especially for children.

Other cases include TimkenSteel Corporation of Canton, Ohio, which was served with a notice in November 2015 for illegally emitting hazardous toxins, including mercury, which, when inhaled in large quantities, can cause pulmonary edema, respiratory failure and death.

In Waterford, Ohio, Globe Metallurgical was cited in June 2015 and December 2016 for air pollution violations. The E.P.A. collected evidence that it was emitting illegal amounts of sulfur dioxide, which can irritate the nose and throat and, at very high concentrations, cause life-threatening accumulation of fluid in the lungs.

And in East Liverpool, just down the street from the Heritage Thermal incinerator, S.H. Bell was cited for allowing toxic levels of dust with heavy metal chemical additives such as manganese to drift beyond its property line.

Tests conducted near S.H. Bell found “the highest levels of ambient manganese concentrations in the United States,” a complaint issued during the Obama administration said. Health officials warned that the situation represented “a public health hazard and should be mitigated as soon as possible to reduce harmful exposures.”

Research led by the University of Cincinnati found in September that levels of manganese in the blood and hair of children in East Liverpool appeared to be related to lower I.Q. scores, a conclusion executives from S.H. Bell have disputed.

The E.P.A. moved in the final days of the Obama administration to resolve the S.H. Bell matter, proposing a consent decree in January that would require changes to reduce manganese dust levels and to improve monitoring.

Generally, a proposed consent decree is resolved within several months, but in March, the Trump administration asked a federal judge to delay the case so the E.P.A. could “brief incoming

administration officials with decision-making responsibility” given that “many subordinate political positions at the agency remain unfilled.” The Justice Department has since asked the court to move ahead, but the case remains open.

A spokeswoman for S.H. Bell said that the company had moved to comply with the requirements and that its operations had not harmed residents. The E.P.A. said in a statement that it was waiting for the court to act. “It would not be appropriate to discuss the open enforcement matters,” the statement said.

Roberta Pratt, 49, a bartender who lives with her family on a block situated between Heritage Thermal and S.H. Bell, said she worries constantly about the delays in enforcement at the facilities. The side of her house, she said, is stained with a rusty color from heavy metals that float through the air.

“It makes me feel like less of a mother,” said Ms. Pratt of the pollution problems. “You can’t protect your children.”

Fighting back tears, she added, “People say to me, ‘Why don’t you just pick up and move out of here?’ Well, I just don’t have the money to do that.”

Industry Gets a Sympathetic Ear

The memo was marked “Privileged/Confidential/Do Not Release” and was signed by Susan Shinkman, the director of civil enforcement at the E.P.A. and one of Mr. Pruitt’s top deputies in Washington at the time.

It arrived by email to agency employees across the country on May 31.

With four pages of detailed instructions, it directed E.P.A. investigators to seek authorization before asking companies to track their emissions with instruments that determine the type and

amount of pollutants being released at their plants.

It also said investigators needed special authorization if they did not already have evidence that the company had quite likely violated the law, or if state authorities objected to the tests.

The scope was far-reaching, applying to possible violations of the Clean Air Act, the Clean Water Act and federal laws regulating hazardous waste plants.

The goal of these changes, the memo said, was to “ensure a more nationally consistent and complete accounting of federal compliance monitoring and enforcement activities.” But the directive arrived like a thunderbolt, upending one of the agency’s most effective methods in catching polluters, E.P.A. regional officials said, and one that was extremely unpopular with the oil and gas industry.

In the prior two years, investigators in the Chicago office had sent requests for information — which includes requests for testing — that covered 267 facilities in the six Midwest states it oversees, including in cases involving giant mountains of petcoke stored near residential neighborhoods in Chicago. A carbon and sulfur byproduct of refining oil, petcoke particles can become airborne and enter the lungs, causing serious health effects.

Investigators in the regional office in Denver, which handles many oil and gas cases, also sent out a series of requests during the Obama administration based on hints that energy producers were letting vast quantities of hazardous air pollutants escape into the atmosphere. The pollutants included benzene, which is a carcinogen, and methane, which is a major contributor to climate change. The investigations escalated after four workers at energy facilities in North Dakota were overcome by fumes and died.

As the Obama administration came to a close, companies had grown increasingly unhappy with the tests and began to fight them by turning to allies in Washington.

Koch Carbon, a subsidiary of Koch Industries, which operated two petcoke storage facilities in Chicago, challenged the E.P.A.’s authority to require the tests in a formal filing with the agency,

E.P.A. documents show, although it still provided the information the agency had requested. The test results showed that its petcoke piles were, in fact, threatening neighbors and led to their removal.

Republicans in Congress, including Senator James M. Inhofe of Oklahoma, took up the cause for the oil and gas industry. In public hearings, Mr. Inhofe interrogated E.P.A. officials about the tests and called them “a backdoor effort for the E.P.A. to cut greenhouse gas emissions.”

When Mr. Trump was elected and named Mr. Pruitt, the former Oklahoma attorney general, to lead the E.P.A., the complaints got a fresh — and sympathetic — hearing. Ms. Shinkman, in an interview, said she was instructed to write the new policy memo after Mr. Pruitt received letters of complaint from oil industry executives in North Dakota and Colorado. Ms. Shinkman retired from the E.P.A. in September; in its statement to The Times, the E.P.A. did not say whether the oil and gas industry had been a factor in its decision.

Ron Ness, the president of the North Dakota Petroleum Council, wrote to Mr. Pruitt in March describing the tests as burdensome and costly. “Under the previous administration, the E.P.A. initiated sweeping Clean Air Act (CAA) Section 114 information requests and threatened company-ending sanctions.” Mr. Ness wrote in a letter obtained by The Times.

In his response to Mr. Ness, Mr. Pruitt wrote that the E.P.A. would “develop best practices for the judicious use” of the requests, and also hand off much of the enforcement of air pollution laws to North Dakota officials, except on Indian lands where the federal government has jurisdiction.

“The E.P.A. acknowledges the critical role that the oil and gas industry plays in ensuring the nation’s energy independence through domestic energy production,” Mr. Pruitt wrote to Mr. Ness in July.

The change in North Dakota was part of a broader effort by the E.P.A. to give states more say in how to treat polluters.

In a letter to the Missouri Department of Natural Resources, Edward Chu, the deputy administrator of the E.P.A.'s regional office in Kansas, said the agency would back off some inspection and enforcement activity so the state could take the lead. "These shifts in direction do represent significant change," Mr. Chu wrote.

Officials in North Dakota said the new arrangement there is leading to faster resolution of cases involving the oil and gas industry.

"We are focused on compliance and fixes, not on big fines that are trumped up," said Jim Semerad, who leads the division of the North Dakota Department of Health that enforces air emissions rules.

But some critics question the sincerity of Mr. Pruitt's deference to state authorities, in part because it comes as the Trump administration has proposed cutting grants that help states pay for local enforcement. And the vigilance of some states in taking on the new responsibilities is also uncertain.

An audit by the E.P.A. inspector general in 2011 described North Dakota as "a state philosophically opposed to taking enforcement action" against polluters.

The state's fines, moreover, are a tiny fraction of those imposed by the E.P.A. for the same violations, records obtained by The Times show, and some North Dakota settlements do not require the hiring of independent inspectors to ensure companies honor their promises.

In Ohio, a change in state law that was tucked into a budget bill this year cut funding for an inspector in East Liverpool, even as Ohio authorities found continued evidence of air pollution violations at the Heritage Thermal incinerator, according to state records obtained by The Times.

Ohio Environmental Services Industry, a trade group that represents Heritage Thermal and a handful of other hazardous waste companies, pushed for the change. The group said the facility would receive sufficient oversight without the dedicated state inspector.

The changes across the country, some lawyers suggest, are giving violators an upper hand in negotiating with the E.P.A.

Paul Calamita, who represents cities accused of violating the Clean Water Act when they release sewage and contaminated storm water into rivers and lakes, recommends that clients team up with state governments to push back against the E.P.A.

Under President Trump, Mr. Calamita said, the E.P.A. and the Department of Justice have been willing to compromise, withdrawing a six-figure penalty in one instance after refusing to do so in two previous rounds of negotiations during the Obama administration.

“States with new Republican governors are following the Trump approach — providing compliance assistance at the outset to avoid enforcement where the discharger is cooperative,” he said in a presentation to utility executives from around the United States. “A state that pushes back on E.P.A. is likely to be successful.”

A Muscular Office Loses Muscle

The E.P.A. under Mr. Pruitt has pursued some high-profile prosecutions of polluters and has talked tough about companies like Fiat Chrysler, which like Volkswagen has been accused of installing software on its vehicles meant to evade emissions standards.

The agency’s biggest civil case filed since Mr. Trump took office involves Exxon Mobil, which was accused of not properly operating and monitoring industrial flares at its petrochemical facilities. Exxon agreed in October to pay \$2.5 million in civil penalties, some of which will go to Louisiana, and spend \$300 million to install new technology to reduce air pollution.

The agency on Friday also released a list of 21 Superfund sites contaminated with hazardous substances and pollutants that Mr. Pruitt has targeted for immediate and intense attention. One of the sites on the list, Tar Creek, a former lead and zinc mine, is in Oklahoma, where Mr. Pruitt

once served as attorney general and state senator.

But more than a dozen current and former E.P.A. officials told The Times that the slowdown in enforcement is real on the ground, and that it is being directed from the top.

At the Ralph Metcalfe Federal Building in Chicago, which houses a regional office of the E.P.A., employees said it has become difficult to even start a new investigation. Because it covers states populated with Rust Belt industries, the Chicago office has traditionally been one of the busiest of the 10 regions.

An agency spokeswoman, in a statement, said “we have not rejected any requests for sampling, monitoring and testing” that were sent to headquarters as a result of the new policy. But agency staff said the memo made clear such requests were discouraged, and many fewer were being drafted.

Jeff Trevino, a lawyer in the Chicago office, who has worked for the agency for 27 years, said the new hurdles imposed by Mr. Pruitt had created “a Catch-22” because, with new policies effectively discouraging requests for information, investigators will have a harder time getting the data needed to detect and confirm violations.

Mr. Trevino, like other current E.P.A. employees, was not authorized by the agency to speak with The Times, and did so as a member of the labor union.

“We are the boots on the ground and we just are having a hard time now getting the information we need to do our job,” said Felicia Chase, who has worked for nearly a decade as a water pollution enforcement officer in the Chicago office, which covers states from Minnesota to Ohio. She was also speaking in her capacity as a union member.

Ms. Chase sat glumly in the cafeteria just before Thanksgiving. On a television set on the wall, President Trump could be seen offering an official pardon to a turkey, joking that he could not reverse Mr. Obama’s turkey pardons from the previous year.

Some workers said they would take the unusual step of asking members of Congress to protect funding for the work they do, while others said they held out hope that the new restrictions on information gathering would not be permanent. Ms. Shinkman, the retired author of the May memo, said she had hoped to avoid a sharp drop in requests for information, but she declined to elaborate how that would be possible.

Mr. Czerniak, who led the air pollution unit in Chicago until his retirement in 2016, said it was hard to watch the agency struggle through this new era.

“People at the agency are just being cautious, almost to the point of paralysis,” he said. “They do not want to do anything for fear of being told they have done something wrong — something the new administrator won’t like.”

The Associated Press

<http://www.providencejournal.com/news/20171210/providence-superfund-site-among-2-priority-from-epa>

Providence superfund site among 2 priority from EPA

By Staff, 12/10/17

The U.S. Environmental Protection Agency says two sites in the Northeast are being prioritized for cleanup, including the Centredale Manor Restoration Project in North Providence.

The project, the site of a chemical manufacturer from the 1940s to the 1970s, was among 21 nationwide slated for speedier cleanup and redevelopment under the superfund program, which provides federal resources to deal with some of the nation’s most contaminated locations. The list was one of the recommendations put forth this summer by a superfund task force.

The other site in the Northeast is the former Mohawk Tannery in Nashua, New Hampshire. Other sites on the list are in New Jersey, Montana, California, Missouri, Virginia, Kentucky, Mississippi, Indiana, Michigan, Nevada, Oklahoma, Texas, Iowa, Oregon and Washington.

Reuters

<https://www.reuters.com/article/us-newyork-incident/one-person-in-custody-several-injured-in-new-york-explosion-idUSKBN1E51E9>

One person in custody, several injured, in New York explosion

By Staff, 12/11/17

An explosion rocked New York's Port Authority, one of the city's busiest commuter hubs in midtown Manhattan, during Monday morning's rush hour, injuring several people.

Police confirmed one person is in custody but were not yet identifying the device used. Local news channel WABC cited police sources as saying a possible pipe bomb detonated in a passageway below ground at Port Authority.

A police officer near the scene said: "There was an explosion under Port Authority somewhere in the subway. That's all we've got for now."

Media reported several people were injured, and WPIX television reported, citing sources, that a man with a "possible second device" has been detained in the subway tunnel.

New York City Mayor Bill de Blasio and President Donald Trump have been briefed on the incident, according to local media and the White House.

"There was a stampede up the stairs to get out," said Diego Fernandez, one of the commuters at Port Authority. "Everybody was scared and running and shouting."

The Wall Street Journal

<https://www.wsj.com/articles/the-taxman-cometh-senate-bills-marginal-rates-could-top-100-for-some-1512942118?mg=prod/accounts-wsj>

The Taxman Cometh: Senate Bill's Marginal Rates Could Top 100% for Some

By Richard Rubin, 12/10/17

Some high-income business owners could face marginal tax rates exceeding 100% under the Senate's tax bill, far beyond the listed rates in the Republican plan.

That means a business owner's next \$100 in earnings, under certain circumstances, would require paying more than \$100 in additional federal and state taxes.

As lawmakers rush to write the final tax bill over the next week, they already are looking at changes to prevent this from happening. Broadly, House and Senate Republicans are trying to reconcile their bills, looking for ways to pay for eliminating the most contentious proposals. The formal House-Senate conference committee will meet on Wednesday, and GOP lawmakers may unveil an agreement by week's end.

The possible marginal tax rate of more than 100% results from the combination of tax policies designed to provide benefits to businesses and families but then deny them to the richest people. As income climbs and those breaks phase out, each dollar of income faces regular tax rates and a hidden marginal rate on top of that, in the form of vanishing tax breaks. That structure, if maintained in a final law, would create some of the disincentives to working and to earning business profit that Republicans have long complained about, while opening lucrative avenues for tax avoidance.

As a taxpayer's income gets much higher and moves out of those phaseout ranges, the marginal tax rates would go down.

Consider, for example, a married, self-employed New Jersey lawyer with three children and earnings of about \$615,000. Getting \$100 more in business income would force the lawyer to pay \$105.45 in federal and state taxes, according to calculations by the conservative-leaning Tax Foundation. That is more than double the marginal tax rate that household faces today.

If the New Jersey lawyer's stay-at-home spouse wanted a job, the first \$100 of the spouse's wages would require \$107.79 in taxes. And the tax rates for similarly situated residents of California and New York City would be even higher, the Tax Foundation found. Analyses by the Tax Policy Center, which is run by a former Obama administration official, find similar results, with federal marginal rates as high as 85%, and those don't include items such as state taxes, self-employment taxes or the phase-out of child tax credits.

The bill as written would provide incentives for business owners to shift profit across calendar years, move personal expenses inside the business and engage in other economically unproductive maneuvers, said David Gamage, a tax-law professor at Indiana University.

"I would expect a huge tax-gaming response once people fully understand how it works," said Mr. Gamage, a former Treasury Department official, who said business owners have an easier time engaging in such tax avoidance than salaried employees do. "The payoff for gaming is huge, within the set of people who both face these rates and have flexible enough business structures."

The analyses "raise a valid concern" that lawmakers are examining, said Julia Lawless, a spokeswoman for the Senate Finance Committee.

"With any major reform, there will always be unusual hypotheticals delivering anomalous results," she said. "The goal of Congress's tax overhaul has been to lower taxes on the American people and by and large, according to a variety of analyses, we're achieving that."

Marginal tax rates are different from average tax rates. A marginal rate is the tax on the edge, or margin, of one's earnings, and so it reflects what would be the next dollar of income. The average rate is a way of measuring a taxpayer's total burden.

The Republican bills are trying to reduce both marginal and average tax rates, and for many taxpayers, they do. The marginal tax rates above 100% affect a small slice of households with very particular circumstances. Similar, though smaller, effects occur throughout the tax system.

“This is a big concern,” said Scott Greenberg, a Tax Foundation analyst. “It would be unfortunate if Congress passed a tax bill that had the effect of making additional work and additional income not worthwhile for any subgroup of households.”

Here’s how that New Jersey lawyer’s marginal rate adds up to more than 100%:

The household is paying the 35% marginal tax rate on their income range. Or, they are paying the alternative minimum tax, which operates at the same marginal rate in that income range.

The household is paying New Jersey’s highest income-tax rate, which is 8.97%, and now has to pay all of that because the Republican tax plan wouldn’t let such state or local taxes be deducted from federal income.

The household is also losing a deduction the Senate created for so-called pass-through businesses such as partnerships and S corporations. That 23% deduction is fully available to owners of service businesses like law firms, but only if income is below \$500,000 for a married couple.

The deduction then phases out over \$100,000 in income, according to a complex formula, disappearing entirely once income reaches \$624,000. Up to that point, each additional dollar of business income faces progressively steeper tax rates because the deduction and its benefit are shrinking rapidly as income goes up.

The provisions also interact with each other in ways that drive up marginal rates. “The central problem here is that there is a large benefit phasing out over a short range,” Mr. Greenberg said.

The Republican bill doubles the child tax credit to \$2,000 but phases it out beginning at \$500,000 income for joint filers. The credit shrinks by \$50 for every \$1,000 in income above that, so a married couple with three children faces a higher marginal tax rate when they're in that phase-out range.

The analysis assumes that the New Jersey lawyer is paying a 3.8% tax on self-employment income.

Pushing marginal rates lower on these households wouldn't be easy and would require tradeoffs. Republicans could make the phaseout of the business deduction more gentle, spreading it over, say, \$200,000, as opposed to \$100,000, of income above \$500,000. But that would make the tax cuts bigger, and Republicans are already looking for money to offset other changes they are planning.

They could lower the threshold for the child tax credit, but that would reduce tax cuts for households below \$500,000.

Under current law, there are some high marginal tax rates for some lower-income households. Some families just above the poverty line can see their earned income tax credits and food stamps going down as their federal and state taxes go up. That combination can create marginal tax rates of around 75%, according to the Congressional Budget Office.

The Wall Street Journal

<https://www.wsj.com/articles/americans-give-trump-higher-grades-on-economy-than-overall-1512925084>

Americans Give Trump Higher Grades on Economy Than Overall

By Eli Stokols, 12/10/17

Although President Donald Trump's overall approval ratings have dropped to the lowest point of his presidency, he is getting significantly higher marks in one important area: his handling of the economy.

With the U.S. unemployment rate holding at a 17-year low, hiring strong and the stock market hitting regular records, Mr. Trump is getting stronger reviews from the public on the economy, with 42% approving and 37% disapproving, according to the most recent Wall Street Journal/NBC News survey, conducted in late October.

That stands in stark contrast to his overall approval rating, which dropped last week to 32%, the lowest point of his 11-month presidency, according to a Pew Research Center poll. His disapproval rating of 68% in the same survey was also a new high.

The WSJ poll showed the president with a 38% approval rating, his lowest to date in this poll, while 58% disapproved of his overall performance.

A Gallup survey from November showed the president's approval rating for his handling of the economy at 45%, eight points ahead of his overall approval number, which sagged to 37%.

"He's a political contortionist in that he has high economic numbers and very low personal approval ratings. That's almost impossible to do," said Peter Hart, a veteran Democratic pollster.

On Friday, the White House celebrated the December jobs report that showed the economy gaining 228,000 jobs in November.

"President Trump's bold economic vision continues to pay off," White House Press Secretary Sarah Huckabee Sanders said in a statement that also referenced an increase in manufacturing jobs since the president took office. "As we continue to unleash the American economy from unnecessary regulation and taxes, we look forward to seeing more reports like this, showing a healthy and thriving jobs market for the American people."

The president expects to sign a final version of the GOP's \$1.4 trillion tax overhaul before the end of the year. White House political director Bill Stepien, who didn't respond to a request to comment, has expressed confidence in the past that strong economic numbers, especially in the states Mr. Trump won in the 2016 election, will be enough to help him overcome other political liabilities.

"The issues that drove the 2016 election—change Washington and fix the economy—continue to break President Trump's way. Today's strong economy is a bulwark for the party in power as it faces the electorate next year in congressional elections," said Bill McInturff of the Republican polling firm Public Opinion Strategies. Mr. McInturff directs the Journal/NBC News poll with Democrat Fred Yang.

Mr. Hart isn't so sure. He pointed to a recent focus group he conducted with North Carolina voters. He said they were less willing to forgive Mr. Trump's sometimes controversial behavior amidst a strong economy than they were with President Bill Clinton two decades earlier.

"During the Clinton impeachment, people said, 'Look, the economy is doing fine.' They weren't in a mood to pursue impeachment," Mr. Hart said. "What's different now is the country is looking for an equilibrium and the president keeps the country constantly on edge. There's never enough of a lull for voters to get their breath and say, 'I'm comfortable.' And that's why Trump doesn't get the full political benefit of the economic growth."

Some administration allies have been trying to impress upon the president and his communications team that he would be in a stronger political position if he created fewer distractions with his tweets, according to people familiar with those conversations.

TRUMP TWEETS

N/A

To: Block, Molly[block.molly@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Konkus, John[konkus.john@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Bowman, Liz
Sent: Tue 12/19/2017 10:01:40 PM
Subject: Re: Politico got it wrong on Tar Creek

Thank you!

Sent from my iPhone

On Dec 19, 2017, at 3:19 PM, Block, Molly <block.molly@epa.gov> wrote:

http://www.joplinglobe.com/opinion/columns/john-berrey-politico-got-it-wrong-on-tar-creek/article_96e18c96-8e7d-51b4-bccc-8ab81e6d9575.html

NOTE: This local control and funding of the cleanups at Superfund sites is consistent with Pruitt's change in the focus of the Superfund program nationwide.

It should be noted that Tar Creek is the first Superfund site in the nation where an Indian tribe has been given the lead by the EPA in site cleanup. It may be news to Malcom Burnley, but the Quapaw tribe has scientists and engineers on staff to provide technical oversight and the tribe has a construction division with heavy equipment and numerous tribal employees with construction and earth moving equipment and experience. These enhancements were a direct result of tribal leaders, the EPA and Sen. Inhofe and his staff working together for over a decade to ensure that the tribe had the capacity and ability to perform this work...

The article states that "(a)s EPA administrator, he (Scott Pruitt) has assumed full responsibility for the still-faltering cleanup." As I pointed out above, the cleanup is far from "faltering," and in fact the state of Oklahoma — seeing how the tribe has achieved unprecedented progress in the cleanup at Tar Creek — has entered into its own inter-agency agreement with the Quapaw tribe to perform cleanup of contaminated nontribal land.

This state/tribe agreement is another nationwide first at a Superfund site. Not surprisingly, after Pruitt sent his senior staff to visit Tar Creek this past summer and report back to him, they reported that because of the tribe's more than adequate capacity to perform the work at a lower cost, and because of the tribe's longstanding relationships with landowners and the local communities, the current remediation work at Tar Creek should be a model for bringing new approaches to large legacy Superfund sites...

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With

all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

John Berrey: Politico got it wrong on Tar Creek

Joplin Globe

John Berry: Chairman of Quapaw Tribe of Oklahoma

As the longtime chairman of the Quapaw Tribe of Oklahoma, I take strong exception to the Dec. 6 article by Politico's Malcom Burnley ("The Environmental Scandal In Scott Pruitt's Backyard"), which showed Burnley to be an accomplished ax-grinder.

This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek Superfund site located on Quapaw land in Northeast Oklahoma.

Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen. Inhofe. When mining companies discovered lead and zinc ore on Quapaw lands in the early 1900s they were required to acquire mining leases through the federal Bureau of Indian Affairs. Many Quapaw tribal members refused to lease their land to the mining companies. Perhaps not unsurprisingly, the BIA responded by declaring those tribal members "incompetent" and went ahead and executed the mining leases on their behalf.

When the Environmental Protection Agency declared Tar Creek a national priority list Superfund site in 1983, the EPA considered the BIA, along with the mining companies, a "responsible party" because of BIA's participation in leasing the land for mining and its management of mining practices on Indian leases.

For most of the 30-plus years since being declared a responsible party by EPA, and therefore liable for the cleanup, BIA has refused to accept responsibility for the cleanup or provide any cleanup funds. In fact, because of its fear of past and future liability, the BIA fought every effort by the EPA to clean up mine waste on Quapaw tribal lands. This — not anything Sen. Inhofe did or didn't do — is the primary reason that cleanup of Tar Creek has languished for over most of the last 35 years.

In reality, Sen. Inhofe and his staff, including his former chief of staff Ryan Jackson, should get significant credit for ending the deadlock between EPA and BIA, thereby allowing the start of the cleanup of the mountains of heavy metal-laden mine waste (called "chat") that dominate the landscape on Quapaw land. In the early 2000s, Sen. Inhofe, using his influence as chairman of Environment and Public Works Committee in the Senate and working with Quapaw tribal leaders, brought upper management of the EPA and the

Department of the Interior together by facilitating an agreement and sponsoring legislation that would ease fear of liability and allow the EPA to finally begin cleanup of mine waste on tribal lands. Since then, there has been more mine waste cleaned up at Tar Creek than in the previous 30 years combined.

More than once in the article the author states that the Quapaw tribe has been “contracted” to perform cleanup at Tar Creek. This represents a fundamental misunderstanding of the facts and the nature of tribal sovereignty. Under the Superfund law, Indian tribes have the same status as states where Superfund sites are concerned. The EPA cleanup funds that the Quapaw tribe’s Environmental Office receives to clean up mine waste on tribal lands are channeled through an inter-agency cooperative agreement — a funding method identical to EPA funding provided to state agencies that participate in Superfund cleanups.

This method of cleanup funding has significant advantages over “contracting” out Superfund cleanup work. By funding a tribe or state agency to perform the work themselves, it allows work to be performed by local entities that know the communities in which they work, not to mention the lower costs that result from avoiding the usual markups of multilayered contractors.

This local control and funding of the cleanups at Superfund sites is consistent with Pruitt’s change in the focus of the Superfund program nationwide.

It should be noted that Tar Creek is the first Superfund site in the nation where an Indian tribe has been given the lead by the EPA in site cleanup. It may be news to Malcom Burnley, but the Quapaw tribe has scientists and engineers on staff to provide technical oversight and the tribe has a construction division with heavy equipment and numerous tribal employees with construction and earth moving equipment and experience. These enhancements were a direct result of tribal leaders, the EPA and Sen. Inhofe and his staff working together for over a decade to ensure that the tribe had the capacity and ability to perform this work.

It is reasonable to expect that the tribe, the most adversely affected stakeholder at Tar Creek, should benefit from the cleanup of its own lands. Accordingly, the Quapaw tribe has cleaned up more waste and returned more acres to productive use since 2013, than was cleaned up in the previous 30 years at Tar Creek.

The article states that “(a)s EPA administrator, he (Scott Pruitt) has assumed full responsibility for the still-faltering cleanup.” As I pointed out above, the cleanup is far from “faltering,” and in fact the state of Oklahoma — seeing how the tribe has achieved unprecedented progress in the cleanup at Tar Creek — has entered into its own inter-agency agreement with the Quapaw tribe to perform cleanup of contaminated nontribal land.

This state/tribe agreement is another nationwide first at a Superfund site. Not surprisingly, after Pruitt sent his senior staff to visit Tar Creek this past summer and report back to him, they reported that because of the tribe’s more than adequate capacity to perform the work at a lower cost, and because of the tribe’s longstanding relationships with landowners and the

local communities, the current remediation work at Tar Creek should be a model for bringing new approaches to large legacy Superfund sites.

Most of the article derides the Lead Impacted Communities Relocation Assistance Trust for alleged mismanagement of the relocation of residents of the Tar Creek area. Although I am not familiar with all of the inner workings of the LICRAT or the nature and validity of all of the grievances of the relocated residents, I do know that all of the residents have been removed from the hazards of the inevitable mine cave-ins that occur at the site on a regular basis.

Members of the LICRAT have also endeavored to see that the tribe ultimately receives the land that was purchased so that the tribe can ensure that the land is remediated and eventually converted into some form that can be safely used as a part of its land base.

It should also be noted that many residents living in the Tar Creek area were living on Quapaw tribal land, and in many cases, did not know it because the BIA had not been collecting rent for decades as it was required to. This resulted in some of the residents' evident resentment toward the LICRAT's proposed buyout offers.

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

John Berrey is the chairman of the Quapaw Tribe of Oklahoma.

To: Lincoln Ferguson (ferguson.lincoln@epa.gov)[ferguson.lincoln@epa.gov]
From: Bowman, Liz
Sent: Thur 8/10/2017 2:55:29 PM
Subject: FW: Tulsa World: Some believe Scott Pruitt is eyeing U.S. Senate campaign from his seat as EPA head, 8/10/17

FYI

Tulsa World

http://www.tulsaworld.com/homepagelatest/andy-krehbiel-some-believe-scott-pruitt-is-eyeing-u-s/article_8df80b4a-fde8-59d5-b67b-153214782f0f.html

Some believe Scott Pruitt is eyeing U.S. Senate campaign from his seat as EPA head

By: Randy Krehbiel, 8/9/17

Former Oklahoma Attorney General Scott Pruitt's foray into the federal bureaucracy as Environmental Protection Agency administrator doesn't seem to have diminished speculation that his ultimate goal is the U.S. Senate.

Although he remains mum about his long-range plans, Pruitt has long been seen as a potential successor to U.S. Sen. Jim Inhofe, who would be up for re-election in 2020, when he turns 86.

Inhofe has not said whether he'll seek another term, but he has always been very complementary of Pruitt and, publicly at least, seems to regard Pruitt as a worthy protege.

In a piece published Wednesday morning, Politico suggests some of Pruitt's EPA initiatives are regarded as political theater. His proposed televised debates on climate change are viewed with particular skepticism, according to the piece.

"The man's running for Senate (in 2020)," says David Bookbinder of the Niskanen Center, a libertarian-leaning policy institute that favors federal regulation of greenhouse gases.
"Everything he says is calculated toward securing the Republican nomination in Oklahoma and

then winning the general election there."

Pruitt has been and continues to be the subject of intense scrutiny in Washington. Most recently, reporters have been reexamining Pruitt's handling five years ago of a state auditor and inspector's report on a trust created to administer relocation of residents in the area of Tar Creek in Ottawa County.

Pruitt, who was attorney general at the time, took the report to the state's multi-county grand jury, but no action was taken. Pruitt subsequently refused to release the report, saying he believed it might cast private citizens in an unfavorable light.

At the time, Auditor and Inspector Gary Jones, now a candidate for governor, disagreed with Pruitt.

More recently, as a result of Open Records Act requests for the audit, Jones' office asked current Attorney General Mike Hunter for guidance on the matter.

In a letter dated Aug. 3, Senior Deputy Attorney General Tom Gruber told Jones' office "this audit shall remain a confidential criminal investigatory file in the Office of the Attorney General and will not be released."

A long record in public office can be fertile ground for political foes. The Politico piece says that while Pruitt's energy allies want a more favorable regulatory environment, they don't necessarily want a showdown on environmental science, because that's a fight they could lose.

And if they lose, so does Scott Pruitt.

Jessica Sparacino

US Environmental Protection Agency

Office of Public Affairs Intern

(202) 564-5327

WJCN 2502J

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 8/24/2017 8:32:18 PM
To: Eilperin, Juliet [Ex. 6 - Personal Privacy]
Subject: RE: Follow-Up on Grants Story

Sounds good, have a safe trip

From: Eilperin, Juliet [mailto: [Ex. 6 - Personal Privacy]
Sent: Thursday, August 24, 2017 4:13 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Follow-Up on Grants Story

OK, I just got news on the monument front I need to write, so I will deal with that and likely try to connect w these folks when I'm on the road tomorrow. We will keep in touch on it.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Thursday, August 24, 2017 4:11 PM
To: Eilperin, Juliet < [Ex. 6 - Personal Privacy] >
Subject: RE: Follow-Up on Grants Story

Thanks for the response. I generally try to be as "hands off" as possible when recommending that career staff talk to reporters. They may ask that I join them on a call, but if they want to talk on the record, I don't have a problem with that. My guess is that they may want to be on background, or quoted as "senior agency career official in the office of general counsel" (for example), but I will let you work that out with them.

From: Eilperin, Juliet [mailto: [Ex. 6 - Personal Privacy]
Sent: Thursday, August 24, 2017 3:27 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Follow-Up on Grants Story

Dear Liz,

Thanks so much for this, and yes, given our ground rules, the only on-the-record quotes I will use will be the ones from you.

Today has been hugely frustrating because of the fact that Interior didn't release a single detail about its monument recommendations, and now I just got some new intel on this that I need to share with my editor. I'm going to do that and then start writing this story. I will try to reach out to a couple of folks you suggest below, though to be clear, none of them can talk on the record, right?

And as I mentioned, I'm headed to CO tomorrow, but basically, I will just work late on this tonight, I'm guessing, and should be pretty reachable aside from when I'm in the air. Also, there's a chance they will just pitch the story for early next week, if I can't get it all done today, which would give me more time to reach out to folks.

Thanks, Juliet

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Thursday, August 24, 2017 3:03 PM
To: Eilperin, Juliet [Ex. 6 - Personal Privacy]
Subject: Follow-Up on Grants Story

Juliet – **Off the record:** Since we all agreed the call was on background, the quotes you may use on the record are below (attributed to me, as agency spokesperson), along with additional background based on our discussions. I understand that you have spoken with some career employees already, but strongly suggest you also talk to the career staff who John works with on a daily basis, including lawyers and technical staff.

As you know, John's role in the public affairs office is focused on communications activities in the states and regions, which naturally includes grants, such as the Brownfields grants. Along those lines, I want to make sure you have a copy of the Inspector General report (attached) that came out yesterday, showing that improved management is needed and that millions of dollars is being mismanaged, and specifically that EPA's brownfields program is rife with what BNA reports as "confusion, inconsistency and lack of direction[news.bna.com]." This underscores John's role as a grants advisor on policy and general management issues, including for the brownfields and the tribal grants. John also plays a vital role in making the public aware of all the money EPA is allocating to local environmental projects through the grant program. Therefore, a list of press releases is also attached to highlight John's role in helping get these out the door and announced. As you can see by looking at how they picked up more and more each month he worked on this, he really helps get the word out about the good work EPA is doing in local communities. Please let me know if you have any further questions. Thank you – Liz, 202-309-3416

On the Record: Quotes to attribute to Liz Bowman:

"Decisions about grants are to ensure funding is in line with the Agency's mission and policy priorities."

"I want to underscore the fact that a very select few have been rescinded. This is simply about being aware of how taxpayer money is being spent."

...agency was pulling back grants that were going to "international entities, without providing results for American taxpayers."

To address Ryan's comment: "We review grants to see if they are providing tangible results to the American people."

Bedbugs: "Let's be clear, we are talking about \$20K for a one-day workshop on bedbugs."

Additional EPA Staff Available for Background Discussions:

Wendel Askew, Office of General Council, 202-564-3987, Askew.Wendel@epa.gov

Bruce Binder, Office of Grants and Department, 202-564-4935, Binder.Bruce@epa.gov

Ken Sylvester, Office of Grants and Debarment, 202-564-1902, sylvester.kenneth@epa.gov

Additional Background:

The previous administration insisted that all their work focus heavily on climate change, as outlined in their strategic plan and including in the grant-making process. As part of the change in policy focus, the attached memo has been drafted by the acting AA for the Office of International and Tribal Affairs (OITA) to explain the new guiding principles, which focuses on "tangible environmental results" – and should be applied as EPA provides grants to tribal governments. **As we discussed, this explains any review or holds of grants to ensure that they are in line with the Agency's current policy priorities.**

With regard to some of the grants that were rescinded or the tribal grants discussed that were held for review, the previous administration explained on the website that it provided grants to advance priorities such as "combating climate change by limiting pollutants."

International Grants and Cooperative Agreements[epa.gov]

EPA provides grants and enters into cooperative agreements that support protecting human health and the environment while advancing U.S. national interests through international environmental collaboration.

Our International Priorities[epa.gov] are:

- Building Strong Environmental Institutions and Legal Structures[epa.gov]
- Combating Climate Change by Limiting Pollutants[epa.gov]
- Improving Air Quality[epa.gov]
- Expanding Access to Clean Water[epa.gov]
- Reducing Exposure to Toxic Chemicals[epa.gov]
- Cleaning Up Electronic Waste (E-Waste)[epa.gov]

Strategic Plan FY14-FY18 (please see page 19 of the PDF, under adaptation):[epa.gov]

Adaptation initiatives undertaken by EPA national programs and regional offices will carry out key elements of the President's Climate Action Plan (June 2013) and aim to increase the resilience of communities and ecosystems to climate change by increasing their ability to anticipate, prepare for, respond to, and recover from the impacts of a changing climate. EPA is encouraging and supporting smarter, more resilient investments by integrating considerations of climate change impacts and adaptive measures into major grant, loan, contract, and technical assistance programs, consistent with existing authorities. For example, EPA is integrating climate adaptation criteria into the Clean Water and Drinking Water State Revolving Loan Funds and grants for brownfields cleanup. EPA is also partnering with states, tribes, and urban and rural communities to integrate climate change data, models, information, and other decision-support tools into their planning processes in ways that empower them to anticipate, prepare for, and adapt to a changing climate.

NATIONAL RELEASES

APRIL- EPA Announces Grants to Reduce Emissions from Diesel Engines[epa.gov]

MAY- Water Infrastructure Investment in City of Joshua, TX Protects the Environment and Sparks Economic Growth[epa.gov]

MAY- EPA Awards Grant to Albemarle - Pamlico National Estuary Partnership: Protecting Natural Resources and Strengthening Local Economies[epa.gov]

MAY- EPA Awards Multi-Million Dollar Grant to North Carolina to Protect Water Quality[epa.gov]

JUNE- Organizations Across the Country Seek to Improve Water Infrastructure, Grow Local Economies[epa.gov]

JULY- EPA Selects 12 Projects to Apply for Water Infrastructure Loans[epa.gov]

REGION 1

MARCH- EPA Awards \$3.3 Million in Wetlands Grants to Help State and Tribal Wetland Programs in New England[epa.gov]

APRIL- [New EPA Funding Opportunity for Coastal Watershed Restoration in Southeast New England\[epa.gov\]](#)

MAY- [EPA Provides Brownfields Grants and Assistance to Connecticut Communities\[epa.gov\]](#)

MAY- [EPA Provides Brownfields Grant and Assistance to Two NH Communities\[epa.gov\]](#)

MAY- [EPA Provides Brownfields Grant and Assistance to Three Vermont Communities\[epa.gov\]](#)

MAY- [EPA Provides Brownfields Grants and Assistance to Rhode Island Communities\[epa.gov\]](#)

MAY- [EPA Provides Brownfields Grant and Assistance to Mass. Communities\[epa.gov\]](#)

MAY- [EPA Takes Steps to Improve Water Quality in Mystic Tributaries Downstream of Belmont, Mass.\[epa.gov\]](#)

MAY- [EPA Selects Lawrence, Mass. Group for Brownfields Job Training Grant\[epa.gov\]](#)

MAY- [EPA Provides Brownfields Grant and Assistance to Maine Communities\[epa.gov\]](#)

JUNE- [EPA to Help Bangor and Waterville, Maine Improve Health, Environment and Revitalize Local Economy\[epa.gov\]](#)

JUNE- [EPA Provides Brownfields Grant and Assistance to three Vermont Communities\[epa.gov\]](#)

JUNE- [Economically Disadvantaged Communities in Maine Receive \\$1.1 Million to Redevelop Contaminated Properties\[epa.gov\]](#)

JUNE- [City of Taunton, Mass. Receives \\$500,000 to Redevelop Contaminated Brownfield Sites\[epa.gov\]](#)

JULY- [EPA Provides Brownfields Grants to Western Massachusetts Communities\[epa.gov\]](#)

JULY- [EPA Provides Brownfields Grants to Maine Communities\[epa.gov\]](#)

JULY- [EPA Selects Biddeford, Maine Project to Apply for Low-Cost Water Infrastructure Loan\[epa.gov\]](#)

JULY- [Rhode Island Awarded \\$852,735 EPA Grant for Environmental Programs\[epa.gov\]](#)

JULY- [New Hampshire Awarded \\$936,308 EPA Grant for Environmental Programs\[epa.gov\]](#)

JULY- [EPA Provides Brownfields Grants to Woonsocket and Providence, Rhode Island\[epa.gov\]](#)

JULY- [EPA Awards \\$91,000 Environmental Education Grant to Woonasquatucket River Watershed Council in Providence, R.I.\[epa.gov\]](#)

AUGUST- [EPA Provides Brownfields Grant to Shelton, Conn.\[epa.gov\]](#)

REGION 2

MARCH- [EPA Provides Environmental Education Grants to Buffalo Niagara Riverkeeper and the Natural History Museum of the Adirondacks \(The Wild Center\)\[epa.gov\]](#)

MAY- [EPA Selects Sullivan County, New York to Receive a \\$200,000 Grant to Investigate Contaminated Properties\[epa.gov\]](#)

MAY- [EPA Selects Camden, New Jersey to Receive Grants Totaling \\$750,000 to Assess, Clean Up and Revitalize Contaminated Properties\[epa.gov\]](#)

MAY- [EPA Selects Trenton, New Jersey to Receive a \\$200,000 Grant to Clean Up and Revitalize Contaminated Property\[epa.gov\]](#)

MAY- [EPA Selects Cataño, Puerto Rico to Receive a \\$200,000 Grant to Investigate Contaminated Properties\[epa.gov\]](#)

MAY- [EPA Selects Maurice River Township, New Jersey to Receive Grants Totaling \\$400,000 to Assess, Clean Up and Revitalize Contaminated Properties\[epa.gov\]](#)

MAY- [EPA Selects Valley Falls, New York Receive a \\$200,000 Grant to Investigate Contaminated Property\[epa.gov\]](#)

MAY- [EPA Provides \\$200,000 for Green Job Training in New York City\[epa.gov\]](#)

JUNE- [Camden Redevelopment Agency to Receive \\$450,000 to Continue Work on Contaminated Brownfield Site\[epa.gov\]](#)

JUNE- [EPA Provides Environmental Programs in Puerto Rico with More than One Million Dollars to Improve Water Quality\[epa.gov\]](#)

JUNE- [EPA Provides Environmental Programs in N.Y. with \\$5.7 Million to Improve Water Quality\[epa.gov\]](#)

JUNE- [EPA Provides Environmental Programs in Puerto Rico with More than One Million Dollars to Improve Water Quality\[epa.gov\]](#)

JUNE- [EPA Provides Environmental Programs in Puerto Rico with More than One Million Dollars to Improve Water Quality\[epa.gov\]](#)

JULY- [EPA Grant Funds Teacher Training Through The College of New Jersey\[epa.gov\]](#)

AUGUST- [EPA Provides New Jersey \\$70 Million for Wastewater and Drinking Water Improvements\[epa.gov\]](#)

AUGUST- [EPA Provides New Jersey with Nearly \\$ 1.2 Million to Assess Contaminated Sites and Oversee Superfund Cleanups\[epa.gov\]](#)

AUGUST- [EPA Provides New York \\$186 Million for Wastewater and Drinking Water Improvements\[epa.gov\]](#)

REGION 3

APRIL- [EPA Brownfields Funding to Revitalize\[epa.gov\]](#)
 APRIL- [EPA Funding to Revitalize Wilmington Brownfields\[epa.gov\]](#)
 MAY- [EPA Brownfields Funding Announced for West Virginia\[epa.gov\]](#)
 MAY- [EPA Brownfields Funding Announced for Western Pennsylvania\[epa.gov\]](#)
 MAY- [EPA Awards Earth Conservancy in Ashley, Pa Environmental Workforce and Development Job Training Funding\[epa.gov\]](#)
 MAY- [EPA Brownfields Funding Announced for Baltimore\[epa.gov\]](#)
 JUNE- [EPA to Help Montgomery and Smithers, West Virginia Improve Health, Environment and Revitalize Local Economy\[epa.gov\]](#)
 JULY- [Baltimore City One of 12 Selected by EPA To Apply For New Water Infrastructure Funding\[epa.gov\]](#)
 JULY- [EPA Awards \\$91,000 Environmental Education Grant to Alvernia University in Reading, Pennsylvania\[epa.gov\]](#)
 AUGUST- [Pittsburgh gets \\$600,000 in EPA Brownfields Grants to assess properties\[epa.gov\]](#)
 AUGUST- [EPA Announces Funding of More Than \\$3.5 Million for DC Water Projects\[epa.gov\]](#)

REGION 4

FEBRUARY- [EPA Awards \\$1.09 million DERA Grant to Gees Bend Ferry in Wilcox County, AL\[epa.gov\]](#)
 MAY- [EPA Brownfields Funding Announced for Eight Communities in Mississippi\[epa.gov\]](#)
 MAY- [EPA Brownfields Funding Announced for Five Communities in North Carolina\[epa.gov\]](#)
 MAY- [EPA Brownfields Funding Announced for Three Communities in South Carolina\[epa.gov\]](#)
 MAY- [EPA Brownfields Funding Announced for Eau Claire, Green Bay, Sheboygan, Washington County and Wauwatosa\[epa.gov\]](#)
 MAY- [EPA Brownfields Funding Announced for Four Communities in Kentucky\[epa.gov\]](#)
 MAY- [EPA Awards \\$1.15 Million to South Carolina to Protect Water Quality\[epa.gov\]](#)
 MAY- [EPA Selects Florida State College at Jacksonville, Fla. for Job Training Grant\[epa.gov\]](#)
 JUNE- [EPA Provides \\$1.38 Million to Florida's Environmental Programs\[epa.gov\]](#)
 JUNE- [EPA to Help Kentuckians Improve Health, Environment and Revitalize Local Economy\[epa.gov\]](#)
 JUNE- [\\$1 Million Grant will Help Mississippi Address Leaking Underground Petroleum Storage Tanks\[epa.gov\]](#)
 JUNE- [EPA to Help Greensboro, AL Improve Health, Environment and Revitalize Local Economy\[epa.gov\]](#)
 JUNE- [Mississippi Awarded \\$2.15 Million EPA Grant for Environmental Programs\[epa.gov\]](#)
 JUNE- [EPA to Recognize Five Communities in Georgia for Receiving \\$1.4 Million in Funding for Brownfield Site and Community Revitalization\[epa.gov\]](#)
 JUNE- [EPA Awards \\$300,000 to Atlanta, GA to Assess and Clean Up Contaminated Sites and Promote Economic Redevelopment\[epa.gov\]](#)
 JULY- [EPA Selects Miami-Dade County, Florida Project to Apply for Water Infrastructure Finance and Innovation Act \(WIFIA\) Loans\[epa.gov\]](#)
 JULY- [EPA Selects the City of Oak Ridge, Tennessee Project to Apply for Water Infrastructure Finance and Innovation Act \(WIFIA\) Loans\[epa.gov\]](#)
 JULY- [EPA Partners with North Carolina to Protect Drinking Water\[epa.gov\]](#)
 AUGUST- [EPA Awards Research Grant to Georgia Environmental Protection Division for Water Quality Monitoring Project\[epa.gov\]](#)
 AUGUST- [EPA Awards Palm Beach County, Florida \\$133,135 to Reduce Air Pollution\[epa.gov\]](#)

REGION 5

MAY- [EPA Brownfields Funding Announced for Eau Claire, Green Bay, Sheboygan, Washington County and Wauwatosa\[epa.gov\]](#)
 MAY- [EPA Brownfields Funding Announced for Roseville, Newark, Norwalk, Painesville, Piqua, Port of Greater Cincinnati Development Authority, Youngstown and Southern Ohio Port Authority\[epa.gov\]](#)
 MAY- [EPA Brownfields Funding Announced for Mankato and Minnesota Pollution Control Agency\[epa.gov\]](#)
 MAY- [Transforming Lives and Land in Wisconsin through EPA's Brownfields Job Training Program\[epa.gov\]](#)
 MAY- [Transforming Lives and Land in Chicago through EPA's Brownfields Job Training Program\[epa.gov\]](#)
 MAY- [EPA Brownfields Funding Announced for Calhoun County, Genesee County, Michigan Department of Environmental Quality, St. Clair County and Tuscola County\[epa.gov\]](#)
 JUNE- [EPA to Help Anderson, Indiana, Improve Health, Environment and Revitalize Local Economy\[epa.gov\]](#)
 JUNE- [EPA Grant Funds Student Conservation Projects at 15 Wisconsin Schools\[epa.gov\]](#)

JUNE- [Rockford, Ill., Will Receive \\$700,000 to Redevelop Contaminated Brownfield Sites\[epa.gov\]](#)
JUNE- [EPA provides \\$2.5 million to Illinois to resume Superfund cleanup in Southeast Rockford\[epa.gov\]](#)
JUNE- [Downriver Community Conference Will Receive \\$500,000 to Redevelop Contaminated Brownfield Site in Tecumseh, Mich.\[epa.gov\]](#)
JUNE- [EPA provides \\$6.8 million to Chicago Park District for DuSable Park cleanup\[epa.gov\]](#)
JULY- [EPA Awards \\$550,000 to Wisconsin for Coastal Wetland Projects\[epa.gov\]](#)
JULY- [EPA Awards \\$120,000 to Illinois for Project in Waukegan Harbor\[epa.gov\]](#)
JULY- [EPA selects Indiana Finance Authority to apply for \\$436M water infrastructure loan\[epa.gov\]](#)
AUGUST- [EPA awards \\$45,000 grant to Sault Ste. Marie Tribe of Chippewa Indians to improve air quality in Michigan's Upper Peninsula\[epa.gov\]](#)
AUGUST- [EPA partners with Michigan, Wisconsin and citizen scientists on innovative Great Lakes research project\[epa.gov\]](#)

REGION 6

APRIL- [EPA Grant of More Than \\$123,000 Will Help Protect Louisiana's Drinking Water Sources\[epa.gov\]](#)
MAY- [EPA Grant of More Than \\$330,000 Will Help Superfund Cleanups in New Mexico\[epa.gov\]](#)
MAY- [EPA Grant of More Than \\$158,000 Will Support Public Drinking Water Systems in Louisiana\[epa.gov\]](#)
MAY- [State of Texas Receives EPA Grant of \\$8.3M for Water Quality and Environmental Programs\[epa.gov\]](#)
MAY- [EPA Awards Pueblo de Cochiti \\$40,000 to Protect the Environment\[epa.gov\]](#)
MAY- [EPA Grant of More Than \\$100,000 Will Help Protect Oklahoma's Drinking Water Sources\[epa.gov\]](#)
MAY- [EPA Awards Oklahoma \\$855,000 to Protect Water Quality\[epa.gov\]](#)
MAY- [EPA and New Mexico Partner to Prevent Water Pollution; EPA Awards \\$217,660 to New Mexico Environment Department\[epa.gov\]](#)
MAY- [EPA partners with Texas to eliminate water pollution; Awards \\$2 Million Grant to Texas Commission on Environmental Quality\[epa.gov\]](#)
MAY- [EPA and New Mexico Work for Clean Air; Million-Dollar Award to New Mexico Environmental Department\[epa.gov\]](#)
MAY- [Santa Fe Community College Wins EPA Job Training Grant\[epa.gov\]](#)
MAY- [EPA and Texas partner to monitor air quality; EPA Awards \\$1.6 Million to Texas Commission on Environmental Quality\[epa.gov\]](#)
MAY- [EPA partners with Quapaw Tribe of Oklahoma to continue cleanup at Tar Creek Superfund site; EPA awards over \\$4 Million to tribe\[epa.gov\]](#)
MAY- [EPA Empowers States to Safely Manage Hazardous Waste; Award of \\$213,000 to New Mexico Environment Department\[epa.gov\]](#)
MAY- [Oklahoma City receives \\$300,000 from EPA to assess environmental hazards\[epa.gov\]](#)
MAY- [New Orleans Regional Planning Commission to Receive \\$300,000 from EPA to Assess Environmental Hazards\[epa.gov\]](#)
MAY- [City of Austin Selected to Receive \\$300,000 to Assess Environmental Hazards\[epa.gov\]](#)
JUNE- [EPA Awards \\$651,709 to Arkansas Department of Environmental Quality\[epa.gov\]](#)
JUNE- [Oklahoma City receives additional \\$500,000 from EPA to clean up environmental hazards\[epa.gov\]](#)
JUNE- [EPA awards Cherokee Nation \\$75,000 to protect the environment\[epa.gov\]](#)
JUNE- [EPA and Arkansas to Protect Air Quality\[epa.gov\]](#)
JUNE- [EPA and Texas Partner on Pesticide Safety\[epa.gov\]](#)
JUNE- [EPA Awards Nearly \\$77,000 to the Student Conservation Association for Environmental Education Projects in Houston Area\[epa.gov\]](#)
JUNE- [EPA grant of nearly \\$175,000 to state of Oklahoma will support pesticide safety\[epa.gov\]](#)
JULY- [EPA and Texas team up to eliminate water pollution\[epa.gov\]](#)
JULY- [Española, NM, to improve water infrastructure with EPA grant\[epa.gov\]](#)
AUGUST- [EPA Grant of \\$1.5M Will Help Louisiana Fight Pollution\[epa.gov\]](#)

REGION 7

MAY- [EPA Awards \\$200,000 to St. Louis Community College to Recruit, Train and Place Workers in Green Environmental Jobs\[epa.gov\]](#)

MAY- [Hardesty Renaissance Economic Development Corporation Selected for \\$200,000 EPA Brownfields Grant to Continue Cleanup of Abandoned Former Federal Complex in Kansas City, Mo.\[epa.gov\]](#)

MAY- [Topeka, Kan., Selected for \\$300,000 EPA Brownfields Grant to Revitalize Riverfront Area, Leverage Jobs, Promote Economic Redevelopment\[epa.gov\]](#)

MAY- [Topeka, Kan., Selected for \\$300,000 EPA Brownfields Grant to Revitalize Riverfront Area, Leverage Jobs, Promote Economic Redevelopment\[epa.gov\]](#)

MAY- [City of Dubuque, Iowa, Selected for \\$200,000 EPA Brownfields Grant to Clean Up, Revitalize Former Junkyard in Washington Neighborhood\[epa.gov\]](#)

MAY- [Panhandle Area Development District Selected for \\$445,400 EPA Brownfields Grant to Revitalize Industrial Sites, Leverage Jobs, Promote Economic Redevelopment in Northwest Nebraska\[epa.gov\]](#)

JULY- [St. Louis Metropolitan Sewer District Invited by EPA to Apply for \\$43-Million Water Infrastructure Finance and Innovation Act Loan\[epa.gov\]](#)

JULY- [City of Omaha Invited by EPA to Apply for \\$55-Million Water Infrastructure Finance and Innovation Act Loan\[epa.gov\]](#)

AUGUST- [EPA Awards Iowa \\$327,000 for Superfund Combined Cooperative Agreement\[epa.gov\]](#)

AUGUST- [EPA Awards Iowa \\$2 Million Grant for Environmental Programs\[epa.gov\]](#)

AUGUST- [EPA Awards Kansas \\$2.9 Million for Nonpoint Source Pollution Prevention Program\[epa.gov\]](#)

AUGUST- [EPA Awards Kansas \\$499,000 Grant for Air Quality Programs\[epa.gov\]](#)

AUGUST- [EPA Awards an Additional \\$768,614 to Iowa to Combat Adverse Pesticide Exposure\[epa.gov\]](#)

REGION 8

MAY- [Salish Kootenai College receives \\$198K for environmental job training program in Pablo, Montana\[epa.gov\]](#)

MAY- [Bent County, Colorado cleanup project receives \\$132K to revitalize Fort Lyon campus\[epa.gov\]](#)

MAY- [Laramie, Wyoming receives \\$300K for environmental assessment and property redevelopment\[epa.gov\]](#)

JUNE- [Great Falls and north-central Montana communities receive \\$1M for revitalization projects\[epa.gov\]](#)

JUNE- [EPA awards Wyoming Department of Environmental Quality \\$850k grant to protect water quality\[epa.gov\]](#)

JULY- [EPA awards North Dakota Department of Health nearly \\$3.9M to protect water quality\[epa.gov\]](#)

JULY- [EPA awards South Dakota Department of the Environment and Natural Resources over \\$2.5M grant to protect water quality\[epa.gov\]](#)

JULY- [EPA awards Montana Department of Environmental Quality over \\$2M grant to protect water quality\[epa.gov\]](#)

AUGUST- [\\$1.6M grant to help Wyoming address Leaking Underground Petroleum Storage Tanks\[epa.gov\]](#)

AUGUST- [Logan River watershed receives portion of \\$1m grant for water quality improvement projects\[epa.gov\]](#)

REGION 9

FEBRUARY- [EPA awards \\$380,000 to Diné College for abandoned uranium mine study\[epa.gov\]](#)

MARCH- [EPA awards nearly \\$1 million to Commonwealth of Northern Mariana Islands\[epa.gov\]](#)

APRIL- [U.S. EPA awards \\$300,000 to East Bay small business that harnesses microbes for green chemistry\[epa.gov\]](#)

APRIL- [EPA awards nearly \\$1.3 million to Guam for environmental protection\[epa.gov\]](#)

MAY- [U.S. EPA Selects East Bay Group for Environmental Job Training Grant\[epa.gov\]](#)

MAY- [U.S. EPA Announces \\$300,000 in Brownfields Grants to Promote Economic Redevelopment in Bakersfield\[epa.gov\]](#)

MAY- [U.S. EPA Announces \\$300,000 in Brownfields Grants to the City of Pittsburg to Revitalize its Northern Industrial Waterfront\[epa.gov\]](#)

MAY- [U.S. EPA Announces \\$900,000 to the Honolulu Authority for Rapid Transportation to Assess and Clean Up Contaminated Sites in Oahu\[epa.gov\]](#)

MAY- [U.S. EPA Announces \\$1.9 Million in Brownfields Grants to Promote Economic Redevelopment Across Northern California\[epa.gov\]](#)

MAY- [U.S. EPA Announces \\$1.4 Million in Brownfields Grants to Promote Economic Redevelopment in Southern California Communities\[epa.gov\]](#)

MAY- [U.S. EPA Announces \\$300,000 in Brownfields Grants to Promote Economic Redevelopment in the City of Sacramento\[epa.gov\]](#)

MAY- [U.S. EPA Announces \\$1.2 million in Brownfields Grants to Promote Economic Redevelopment in Carson City, Douglas and Nye Counties\[epa.gov\]](#)

MAY- [U.S. EPA Announces \\$900,000 in Brownfields Grants to Promote Economic Redevelopment in Arizona\[epa.gov\]](#)

MAY- [U.S. EPA Announces \\$7.2 Million in Brownfields Grants to Promote Economic Redevelopment Across the Pacific Southwest\[epa.gov\]](#)

JUNE- [EPA awards over \\$866,000 to American Samoa for environmental protection\[epa.gov\]](#)

JUNE- [U.S. EPA awards \\$300,000 to clean up lead in Humboldt County\[epa.gov\]](#)

JUNE- [U.S. EPA Awards More than \\$320,000 to California, Arizona Tribes to Reduce Diesel Emissions\[epa.gov\]](#)

JUNE- [U.S. EPA Awards \\$91,000 to Groundwork San Diego to Educate Students and Community on Water Conservation\[epa.gov\]](#)

JULY- [EPA Selects Orange County Project to Apply for Water Infrastructure Loan\[epa.gov\]](#)

JULY- [EPA Selects San Diego Project to Apply for Water Infrastructure Loan\[epa.gov\]](#)

JULY- [EPA Selects San Francisco Project to Apply for Water Infrastructure Loan\[epa.gov\]](#)

JULY- [EPA Selects Morro Bay Project to Apply for Water Infrastructure Loan\[epa.gov\]](#)

AUGUST- [U.S. EPA awards \\$200,000 to improve Lake Tahoe's clarity\[epa.gov\]](#)

AUGUST- [EPA Awards Arrow Indian Contractors \\$3.85 Million for Abandoned Uranium Mine Cleanup\[epa.gov\]](#)

AUGUST- [EPA Announces \\$2.86 Million to Improve Tribal Lands in Arizona\[epa.gov\]](#)

REGION 10

MARCH- [Alaska Selected to Receive \\$2.5 Million EPA Grant to Improve Air Quality in Fairbanks\[epa.gov\]](#)

MARCH- [Idaho Selected to Receive \\$2.5 Million EPA Grant to Improve Air Quality in Cache Valley\[epa.gov\]](#)

MAY- [EPA Selects Zender Environmental Health and Research Group for \\$200,000 Environmental Workforce Development and Job Training Grant\[epa.gov\]](#)

MAY- [Skamania County Selected for \\$300,000 in Brownfields Assessment Grants\[epa.gov\]](#)

MAY- [City of St. Helens Selected for \\$300,000 in Brownfields Assessment Grants\[epa.gov\]](#)

MAY- [City of Bremerton Selected for \\$300,000 in Brownfields Assessment Grants\[epa.gov\]](#)

MAY- [City of Eugene and Partners Selected for \\$500,000 in Brownfields Assessment Grants\[epa.gov\]](#)

MAY- [Grays Harbor Council of Governments Selected for \\$600,000 in Brownfields Assessment Grants\[epa.gov\]](#)

MAY- [EPA Selects Communities in Alaska, Oregon and Washington for Brownfields Assessment and Cleanup Grants\[epa.gov\]](#)

JUNE- [EPA awards \\$513K to Alaska & Washington tribes to protect communities from diesel emissions\[epa.gov\]](#)

JULY- [King County qualifies for \\$129 million from innovative EPA infrastructure loan for Georgetown wet weather treatment station\[epa.gov\]](#)

AUGUST- [EPA awards \\$1.1 million to Idaho to protect drinking water sources\[epa.gov\]](#)

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 8/24/2017 8:11:28 PM
To: Eilperin, Juliet [Ex. 6 - Personal Privacy]
Subject: RE: Follow-Up on Grants Story

Thanks for the response. I generally try to be as “hands off” as possible when recommending that career staff talk to reporters. They may ask that I join them on a call, but if they want to talk on the record, I don’t have a problem with that. My guess is that they may want to be on background, or quoted as “senior agency career official in the office of general counsel” (for example), but I will let you work that out with them.

From: Eilperin, Juliet [mailto:Ex. 6 - Personal Privacy]
Sent: Thursday, August 24, 2017 3:27 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Follow-Up on Grants Story

Dear Liz,

Thanks so much for this, and yes, given our ground rules, the only on-the-record quotes I will use will be the ones from you.

Today has been hugely frustrating because of the fact that Interior didn’t release a single detail about its monument recommendations, and now I just got some new intel on this that I need to share with my editor. I’m going to do that and then start writing this story. I will try to reach out to a couple of folks you suggest below, though to be clear, none of them can talk on the record, right?

And as I mentioned, I’m headed to CO tomorrow, but basically, I will just work late on this tonight, I’m guessing, and should be pretty reachable aside from when I’m in the air. Also, there’s a chance they will just pitch the story for early next week, if I can’t get it all done today, which would give me more time to reach out to folks.

Thanks, Juliet

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Thursday, August 24, 2017 3:03 PM
To: Eilperin, Juliet <Ex. 6 - Personal Privacy>
Subject: Follow-Up on Grants Story

Juliet – **Off the record:** Since we all agreed the call was on background, the quotes you may use on the record are below (attributed to me, as agency spokesperson), along with additional background based on our discussions. I understand that you have spoken with some career employees already, but strongly suggest you also talk to the career staff who John works with on a daily basis, including lawyers and technical staff.

As you know, John’s role in the public affairs office is focused on communications activities in the states and regions, which naturally includes grants, such as the Brownfields grants. Along those lines, I want to make sure you have a copy of the Inspector General report (attached) that came out yesterday, showing that improved management is needed and that millions of dollars is being mismanaged, and specifically that EPA’s brownfields program is rife with what BNA reports as “confusion, inconsistency and lack of direction[news.bna.com].” This underscores John’s role as a grants advisor on policy and general management issues, including for the brownfields and the tribal grants. John also plays a vital role in making the public aware of all the money EPA is allocating to local environmental projects through the grant program. Therefore, a list of press releases is also attached to highlight John’s role in helping get these out the door and announced. As you can see by looking at how they picked up more and more each month he worked

on this, he really helps get the word out about the good work EPA is doing in local communities. Please let me know if you have any further questions. Thank you – Liz, Ex. 6 - Personal Privacy

On the Record: Quotes to attribute to Liz Bowman:

"Decisions about grants are to ensure funding is in line with the Agency's mission and policy priorities."

"I want to underscore the fact that a very select few have been rescinded. This is simply about being aware of how taxpayer money is being spent."

...agency was pulling back grants that were going to "international entities, without providing results for American taxpayers."

To address Ryan's comment: "We review grants to see if they are providing tangible results to the American people."

Bedbugs: "Let's be clear, we are talking about \$20K for a one-day workshop on bedbugs."

Additional EPA Staff Available for Background Discussions:

Wendel Askew, Office of General Council, 202-564-3987, Askew.Wendel@epa.gov

Bruce Binder, Office of Grants and Department, 202-564-4935, Binder.Bruce@epa.gov

Ken Sylvester, Office of Grants and Debarment, 202-564-1902, sylvester.kenneth@epa.gov

Additional Background:

The previous administration insisted that all their work focus heavily on climate change, as outlined in their strategic plan and including in the grant-making process. As part of the change in policy focus, the attached memo has been drafted by the acting AA for the Office of International and Tribal Affairs (OITA) to explain the new guiding principles, which focuses on "tangible environmental results" – and should be applied as EPA provides grants to tribal governments. **As we discussed, this explains any review or holds of grants to ensure that they are in line with the Agency's current policy priorities.**

With regard to some of the grants that were rescinded or the tribal grants discussed that were held for review, the previous administration explained on the website that it provided grants to advance priorities such as "combating climate change by limiting pollutants."

International Grants and Cooperative Agreements[epa.gov]

EPA provides grants and enters into cooperative agreements that support protecting human health and the environment while advancing U.S. national interests through international environmental collaboration.

Our [International Priorities\[epa.gov\]](#) are:

- [Building Strong Environmental Institutions and Legal Structures\[epa.gov\]](#)
- [Combating Climate Change by Limiting Pollutants\[epa.gov\]](#)
- [Improving Air Quality\[epa.gov\]](#)
- [Expanding Access to Clean Water\[epa.gov\]](#)
- [Reducing Exposure to Toxic Chemicals\[epa.gov\]](#)
- [Cleaning Up Electronic Waste \(E-Waste\)\[epa.gov\]](#)

[Strategic Plan FY14-FY18 \(please see page 19 of the PDF, under adaptation\):\[epa.gov\]](#)

Adaptation initiatives undertaken by EPA national

programs and regional offices will carry out key elements of the President's Climate Action Plan (June 2013) and aim to increase the resilience of communities and ecosystems to climate change by increasing their ability to anticipate, prepare for, respond to, and recover from the impacts of a changing climate. EPA is encouraging and supporting smarter, more resilient investments by integrating considerations of climate change impacts and adaptive measures into major grant, loan, contract, and technical assistance programs, consistent with existing authorities. For example, EPA is integrating climate adaptation criteria into the Clean Water and Drinking Water State Revolving Loan Funds and grants for brownfields cleanup. EPA is also partnering with states, tribes, and urban and rural communities to integrate climate change data, models, information, and other decision-support tools into their planning processes in ways that empower them to anticipate, prepare for, and adapt to a changing climate.

NATIONAL RELEASES

APRIL- [EPA Announces Grants to Reduce Emissions from Diesel Engines\[epa.gov\]](#)

MAY- [Water Infrastructure Investment in City of Joshua, TX Protects the Environment and Sparks Economic Growth\[epa.gov\]](#)

MAY- [EPA Awards Grant to Albemarle - Pamlico National Estuary Partnership: Protecting Natural Resources and Strengthening Local Economies\[epa.gov\]](#)

MAY- [EPA Awards Multi-Million Dollar Grant to North Carolina to Protect Water Quality\[epa.gov\]](#)

JUNE- [Organizations Across the Country Seek to Improve Water Infrastructure, Grow Local Economies\[epa.gov\]](#)

JULY- [EPA Selects 12 Projects to Apply for Water Infrastructure Loans\[epa.gov\]](#)

REGION 1

MARCH- [EPA Awards \\$3.3 Million in Wetlands Grants to Help State and Tribal Wetland Programs in New England\[epa.gov\]](#)

APRIL- [New EPA Funding Opportunity for Coastal Watershed Restoration in Southeast New England\[epa.gov\]](#)

MAY- [EPA Provides Brownfields Grants and Assistance to Connecticut Communities\[epa.gov\]](#)

MAY- [EPA Provides Brownfields Grant and Assistance to Two NH Communities\[epa.gov\]](#)

MAY- [EPA Provides Brownfields Grant and Assistance to Three Vermont Communities\[epa.gov\]](#)

MAY- [EPA Provides Brownfields Grants and Assistance to Rhode Island Communities\[epa.gov\]](#)

MAY- [EPA Provides Brownfields Grant and Assistance to Mass. Communities\[epa.gov\]](#)

MAY- [EPA Takes Steps to Improve Water Quality in Mystic Tributaries Downstream of Belmont, Mass.\[epa.gov\]](#)

MAY- [EPA Selects Lawrence, Mass. Group for Brownfields Job Training Grant\[epa.gov\]](#)

MAY- [EPA Provides Brownfields Grant and Assistance to Maine Communities\[epa.gov\]](#)

JUNE- [EPA to Help Bangor and Waterville, Maine Improve Health, Environment and Revitalize Local Economy\[epa.gov\]](#)

JUNE- [EPA Provides Brownfields Grant and Assistance to three Vermont Communities\[epa.gov\]](#)

JUNE- [Economically Disadvantaged Communities in Maine Receive \\$1.1 Million to Redevelop Contaminated Properties\[epa.gov\]](#)

JUNE- [City of Taunton, Mass. Receives \\$500,000 to Redevelop Contaminated Brownfield Sites\[epa.gov\]](#)

JULY- [EPA Provides Brownfields Grants to Western Massachusetts Communities\[epa.gov\]](#)

JULY- [EPA Provides Brownfields Grants to Maine Communities\[epa.gov\]](#)

JULY- [EPA Selects Biddeford, Maine Project to Apply for Low-Cost Water Infrastructure Loan\[epa.gov\]](#)

JULY- [Rhode Island Awarded \\$852,735 EPA Grant for Environmental Programs\[epa.gov\]](#)
JULY- [New Hampshire Awarded \\$936,308 EPA Grant for Environmental Programs\[epa.gov\]](#)
JULY- [EPA Provides Brownfields Grants to Woonsocket and Providence, Rhode Island\[epa.gov\]](#)
JULY- [EPA Awards \\$91,000 Environmental Education Grant to Woonasquatucket River Watershed Council in Providence, R.I.\[epa.gov\]](#)
AUGUST- [EPA Provides Brownfields Grant to Shelton, Conn.\[epa.gov\]](#)

REGION 2

MARCH- [EPA Provides Environmental Education Grants to Buffalo Niagara Riverkeeper and the Natural History Museum of the Adirondacks \(The Wild Center\)\[epa.gov\]](#)
MAY- [EPA Selects Sullivan County, New York to Receive a \\$200,000 Grant to Investigate Contaminated Properties\[epa.gov\]](#)
MAY- [EPA Selects Camden, New Jersey to Receive Grants Totaling \\$750,000 to Assess, Clean Up and Revitalize Contaminated Properties\[epa.gov\]](#)
MAY- [EPA Selects Trenton, New Jersey to Receive a \\$200,000 Grant to Clean Up and Revitalize Contaminated Property\[epa.gov\]](#)
MAY- [EPA Selects Cataño, Puerto Rico to Receive a \\$200,000 Grant to Investigate Contaminated Properties\[epa.gov\]](#)
MAY- [EPA Selects Maurice River Township, New Jersey to Receive Grants Totaling \\$400,000 to Assess, Clean Up and Revitalize Contaminated Properties\[epa.gov\]](#)
MAY- [EPA Selects Valley Falls, New York Receive a \\$200,000 Grant to Investigate Contaminated Property\[epa.gov\]](#)
MAY- [EPA Provides \\$200,000 for Green Job Training in New York City\[epa.gov\]](#)
JUNE- [Camden Redevelopment Agency to Receive \\$450,000 to Continue Work on Contaminated Brownfield Site\[epa.gov\]](#)
JUNE- [EPA Provides Environmental Programs in Puerto Rico with More than One Million Dollars to Improve Water Quality\[epa.gov\]](#)
JUNE- [EPA Provides Environmental Programs in N.Y. with \\$5.7 Million to Improve Water Quality\[epa.gov\]](#)
JUNE- [EPA Provides Environmental Programs in Puerto Rico with More than One Million Dollars to Improve Water Quality\[epa.gov\]](#)
JUNE- [EPA Provides Environmental Programs in Puerto Rico with More than One Million Dollars to Improve Water Quality\[epa.gov\]](#)
JULY- [EPA Grant Funds Teacher Training Through The College of New Jersey\[epa.gov\]](#)
AUGUST- [EPA Provides New Jersey \\$70 Million for Wastewater and Drinking Water Improvements\[epa.gov\]](#)
AUGUST- [EPA Provides New Jersey with Nearly \\$ 1.2 Million to Assess Contaminated Sites and Oversee Superfund Cleanups\[epa.gov\]](#)
AUGUST- [EPA Provides New York \\$186 Million for Wastewater and Drinking Water Improvements\[epa.gov\]](#)

REGION 3

APRIL- [EPA Brownfields Funding to Revitalize\[epa.gov\]](#)
APRIL- [EPA Funding to Revitalize Wilmington Brownfields\[epa.gov\]](#)
MAY- [EPA Brownfields Funding Announced for West Virginia\[epa.gov\]](#)
MAY- [EPA Brownfields Funding Announced for Western Pennsylvania\[epa.gov\]](#)
MAY- [EPA Awards Earth Conservancy in Ashley, Pa Environmental Workforce and Development Job Training Funding\[epa.gov\]](#)
MAY- [EPA Brownfields Funding Announced for Baltimore\[epa.gov\]](#)
JUNE- [EPA to Help Montgomery and Smithers, West Virginia Improve Health, Environment and Revitalize Local Economy\[epa.gov\]](#)
JULY- [Baltimore City One of 12 Selected by EPA To Apply For New Water Infrastructure Funding\[epa.gov\]](#)
JULY- [EPA Awards \\$91,000 Environmental Education Grant to Alvernia University in Reading, Pennsylvania\[epa.gov\]](#)
AUGUST- [Pittsburgh gets \\$600,000 in EPA Brownfields Grants to assess properties\[epa.gov\]](#)
AUGUST- [EPA Announces Funding of More Than \\$3.5 Million for DC Water Projects\[epa.gov\]](#)

REGION 4

FEBRUARY- [EPA Awards \\$1.09 million DERA Grant to Gees Bend Ferry in Wilcox County, AL\[epa.gov\]](#)
MAY- [EPA Brownfields Funding Announced for Eight Communities in Mississippi\[epa.gov\]](#)
MAY- [EPA Brownfields Funding Announced for Five Communities in North Carolina\[epa.gov\]](#)

MAY- [EPA Brownfields Funding Announced for Three Communities in South Carolina\[epa.gov\]](#)

MAY- [EPA Brownfields Funding Announced for Eau Claire, Green Bay, Sheboygan, Washington County and Wauwatosa\[epa.gov\]](#)

MAY- [EPA Brownfields Funding Announced for Four Communities in Kentucky\[epa.gov\]](#)

MAY- [EPA Awards \\$1.15 Million to South Carolina to Protect Water Quality\[epa.gov\]](#)

MAY- [EPA Selects Florida State College at Jacksonville, Fla. for Job Training Grant\[epa.gov\]](#)

JUNE- [EPA Provides \\$1.38 Million to Florida's Environmental Programs\[epa.gov\]](#)

JUNE- [EPA to Help Kentuckians Improve Health, Environment and Revitalize Local Economy\[epa.gov\]](#)

JUNE- [\\$1 Million Grant will Help Mississippi Address Leaking Underground Petroleum Storage Tanks\[epa.gov\]](#)

JUNE- [EPA to Help Greensboro, AL Improve Health, Environment and Revitalize Local Economy\[epa.gov\]](#)

JUNE- [Mississippi Awarded \\$2.15 Million EPA Grant for Environmental Programs\[epa.gov\]](#)

JUNE- [EPA to Recognize Five Communities in Georgia for Receiving \\$1.4 Million in Funding for Brownfield Site and Community Revitalization\[epa.gov\]](#)

JUNE- [EPA Awards \\$300,000 to Atlanta, GA to Assess and Clean Up Contaminated Sites and Promote Economic Redevelopment\[epa.gov\]](#)

JULY- [EPA Selects Miami-Dade County, Florida Project to Apply for Water Infrastructure Finance and Innovation Act \(WIFIA\) Loans\[epa.gov\]](#)

JULY- [EPA Selects the City of Oak Ridge, Tennessee Project to Apply for Water Infrastructure Finance and Innovation Act \(WIFIA\) Loans\[epa.gov\]](#)

JULY- [EPA Partners with North Carolina to Protect Drinking Water\[epa.gov\]](#)

AUGUST- [EPA Awards Research Grant to Georgia Environmental Protection Division for Water Quality Monitoring Project\[epa.gov\]](#)

AUGUST- [EPA Awards Palm Beach County, Florida \\$133,135 to Reduce Air Pollution\[epa.gov\]](#)

REGION 5

MAY- [EPA Brownfields Funding Announced for Eau Claire, Green Bay, Sheboygan, Washington County and Wauwatosa\[epa.gov\]](#)

MAY- [EPA Brownfields Funding Announced for Roseville, Newark, Norwalk, Painesville, Piqua, Port of Greater Cincinnati Development Authority, Youngstown and Southern Ohio Port Authority\[epa.gov\]](#)

MAY- [EPA Brownfields Funding Announced for Mankato and Minnesota Pollution Control Agency\[epa.gov\]](#)

MAY- [Transforming Lives and Land in Wisconsin through EPA's Brownfields Job Training Program\[epa.gov\]](#)

MAY- [Transforming Lives and Land in Chicago through EPA's Brownfields Job Training Program\[epa.gov\]](#)

MAY- [EPA Brownfields Funding Announced for Calhoun County, Genesee County, Michigan Department of Environmental Quality, St. Clair County and Tuscola County\[epa.gov\]](#)

JUNE- [EPA to Help Anderson, Indiana, Improve Health, Environment and Revitalize Local Economy\[epa.gov\]](#)

JUNE- [EPA Grant Funds Student Conservation Projects at 15 Wisconsin Schools\[epa.gov\]](#)

JUNE- [Rockford, Ill., Will Receive \\$700,000 to Redevelop Contaminated Brownfield Sites\[epa.gov\]](#)

JUNE- [EPA provides \\$2.5 million to Illinois to resume Superfund cleanup in Southeast Rockford\[epa.gov\]](#)

JUNE- [Downriver Community Conference Will Receive \\$500,000 to Redevelop Contaminated Brownfield Site in Tecumseh, Mich.\[epa.gov\]](#)

JUNE- [EPA provides \\$6.8 million to Chicago Park District for DuSable Park cleanup\[epa.gov\]](#)

JULY- [EPA Awards \\$550,000 to Wisconsin for Coastal Wetland Projects\[epa.gov\]](#)

JULY- [EPA Awards \\$120,000 to Illinois for Project in Waukegan Harbor\[epa.gov\]](#)

JULY- [EPA selects Indiana Finance Authority to apply for \\$436M water infrastructure loan\[epa.gov\]](#)

AUGUST- [EPA awards \\$45,000 grant to Sault Ste. Marie Tribe of Chippewa Indians to improve air quality in Michigan's Upper Peninsula\[epa.gov\]](#)

AUGUST- [EPA partners with Michigan, Wisconsin and citizen scientists on innovative Great Lakes research project\[epa.gov\]](#)

REGION 6

APRIL- [EPA Grant of More Than \\$123,000 Will Help Protect Louisiana's Drinking Water Sources\[epa.gov\]](#)

MAY- [EPA Grant of More Than \\$330,000 Will Help Superfund Cleanups in New Mexico\[epa.gov\]](#)

MAY- [EPA Grant of More Than \\$158,000 Will Support Public Drinking Water Systems in Louisiana\[epa.gov\]](#)

MAY- [State of Texas Receives EPA Grant of \\$8.3M for Water Quality and Environmental Programs\[epa.gov\]](#)

MAY- [EPA Awards Pueblo de Cochiti \\$40,000 to Protect the Environment\[epa.gov\]](#)

MAY- [EPA Grant of More Than \\$100,000 Will Help Protect Oklahoma's Drinking Water Sources\[epa.gov\]](#)

MAY- [EPA Awards Oklahoma \\$855,000 to Protect Water Quality\[epa.gov\]](#)

MAY- [EPA and New Mexico Partner to Prevent Water Pollution; EPA Awards \\$217,660 to New Mexico Environment Department\[epa.gov\]](#)

MAY- [EPA partners with Texas to eliminate water pollution; Awards \\$2 Million Grant to Texas Commission on Environmental Quality\[epa.gov\]](#)

MAY- [EPA and New Mexico Work for Clean Air; Million-Dollar Award to New Mexico Environmental Department\[epa.gov\]](#)

MAY- [Santa Fe Community College Wins EPA Job Training Grant\[epa.gov\]](#)

MAY- [EPA and Texas partner to monitor air quality; EPA Awards \\$1.6 Million to Texas Commission on Environmental Quality\[epa.gov\]](#)

MAY- [EPA partners with Quapaw Tribe of Oklahoma to continue cleanup at Tar Creek Superfund site; EPA awards over \\$4 Million to tribe\[epa.gov\]](#)

MAY- [EPA Empowers States to Safely Manage Hazardous Waste; Award of \\$213,000 to New Mexico Environment Department\[epa.gov\]](#)

MAY- [Oklahoma City receives \\$300,000 from EPA to assess environmental hazards\[epa.gov\]](#)

MAY- [New Orleans Regional Planning Commission to Receive \\$300,000 from EPA to Assess Environmental Hazards\[epa.gov\]](#)

MAY- [City of Austin Selected to Receive \\$300,000 to Assess Environmental Hazards\[epa.gov\]](#)

JUNE- [EPA Awards \\$651,709 to Arkansas Department of Environmental Quality\[epa.gov\]](#)

JUNE- [Oklahoma City receives additional \\$500,000 from EPA to clean up environmental hazards\[epa.gov\]](#)

JUNE- [EPA awards Cherokee Nation \\$75,000 to protect the environment\[epa.gov\]](#)

JUNE- [EPA and Arkansas to Protect Air Quality\[epa.gov\]](#)

JUNE- [EPA and Texas Partner on Pesticide Safety\[epa.gov\]](#)

JUNE- [EPA Awards Nearly \\$77,000 to the Student Conservation Association for Environmental Education Projects in Houston Area\[epa.gov\]](#)

JUNE- [EPA grant of nearly \\$175,000 to state of Oklahoma will support pesticide safety\[epa.gov\]](#)

JULY- [EPA and Texas team up to eliminate water pollution\[epa.gov\]](#)

JULY- [Española, NM, to improve water infrastructure with EPA grant\[epa.gov\]](#)

AUGUST- [EPA Grant of \\$1.5M Will Help Louisiana Fight Pollution\[epa.gov\]](#)

REGION 7

MAY- [EPA Awards \\$200,000 to St. Louis Community College to Recruit, Train and Place Workers in Green Environmental Jobs\[epa.gov\]](#)

MAY- [Hardesty Renaissance Economic Development Corporation Selected for \\$200,000 EPA Brownfields Grant to Continue Cleanup of Abandoned Former Federal Complex in Kansas City, Mo.\[epa.gov\]](#)

MAY- [Topeka, Kan., Selected for \\$300,000 EPA Brownfields Grant to Revitalize Riverfront Area, Leverage Jobs, Promote Economic Redevelopment\[epa.gov\]](#)

MAY- [Topeka, Kan., Selected for \\$300,000 EPA Brownfields Grant to Revitalize Riverfront Area, Leverage Jobs, Promote Economic Redevelopment\[epa.gov\]](#)

MAY- [City of Dubuque, Iowa, Selected for \\$200,000 EPA Brownfields Grant to Clean Up, Revitalize Former Junkyard in Washington Neighborhood\[epa.gov\]](#)

MAY- [Panhandle Area Development District Selected for \\$445,400 EPA Brownfields Grant to Revitalize Industrial Sites, Leverage Jobs, Promote Economic Redevelopment in Northwest Nebraska\[epa.gov\]](#)

JULY- [St. Louis Metropolitan Sewer District Invited by EPA to Apply for \\$43-Million Water Infrastructure Finance and Innovation Act Loan\[epa.gov\]](#)

JULY- [City of Omaha Invited by EPA to Apply for \\$55-Million Water Infrastructure Finance and Innovation Act Loan\[epa.gov\]](#)

AUGUST- [EPA Awards Iowa \\$327,000 for Superfund Combined Cooperative Agreement\[epa.gov\]](#)

AUGUST- [EPA Awards Iowa \\$2 Million Grant for Environmental Programs\[epa.gov\]](#)

AUGUST- [EPA Awards Kansas \\$2.9 Million for Nonpoint Source Pollution Prevention Program\[epa.gov\]](#)

AUGUST- [EPA Awards Kansas \\$499,000 Grant for Air Quality Programs\[epa.gov\]](#)

AUGUST- [EPA Awards an Additional \\$768,614 to Iowa to Combat Adverse Pesticide Exposure\[epa.gov\]](#)

REGION 8

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Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 8/24/2017 7:03:10 PM
To: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
Subject: FW: Follow-Up on Grants Story
Attachments: _epaig_20170823-17-P-0368_cert.pdf; GAP Guiding Principles_Draft Memo 080817.docx; List of Grant Press Releases 8.24.17.docx

From: Bowman, Liz
Sent: Thursday, August 24, 2017 3:02 PM
To: Eilperin, Juliet <Ex. 6 - Personal Privacy>
Subject: Follow-Up on Grants Story

Juliet – **Off the record:** Since we all agreed the call was on background, the quotes you may use on the record are below (attributed to me, as agency spokesperson), along with additional background based on our discussions. I understand that you have spoken with some career employees already, but strongly suggest you also talk to the career staff who John works with on a daily basis, including lawyers and technical staff.

As you know, John's role in the public affairs office is focused on communications activities in the states and regions, which naturally includes grants, such as the Brownfields grants. Along those lines, I want to make sure you have a copy of the Inspector General report (attached) that came out yesterday, showing that improved management is needed and that millions of dollars is being mismanaged, and specifically that EPA's brownfields program is rife with what BNA reports as "confusion, inconsistency and lack of direction." This underscores John's role as a grants advisor on policy and general management issues, including for the brownfields and the tribal grants. John also plays a vital role in making the public aware of all the money EPA is allocating to local environmental projects through the grant program. Therefore, a list of press releases is also attached to highlight John's role in helping get these out the door and announced. As you can see by looking at how they picked up more and more each month he worked on this, he really helps get the word out about the good work EPA is doing in local communities. Please let me know if you have any further questions. Thank you – Liz, 202-309-3416

On the Record: Quotes to attribute to Liz Bowman:

"Decisions about grants are to ensure funding is in line with the Agency's mission and policy priorities."

"I want to underscore the fact that a very select few have been rescinded. This is simply about being aware of how taxpayer money is being spent."

...agency was pulling back grants that were going to "international entities, without providing results for American taxpayers."

To address Ryan's comment: "We review grants to see if they are providing tangible results to the American people."

Bedbugs: "Let's be clear, we are talking about \$20K for a one-day workshop on bedbugs."

Additional EPA Staff Available for Background Discussions:

Wendel Askew, Office of General Council, 202-564-3987, Askew.Wendel@epa.gov
Bruce Binder, Office of Grants and Department, 202-564-4935, Binder.Bruce@epa.gov
Ken Sylvester, Office of Grants and Debarment, 202-564-1902, sylvester.kenneth@epa.gov

Additional Background:

The previous administration insisted that all their work focus heavily on climate change, as outlined in their strategic plan and including in the grant-making process. As part of the change in policy focus, the attached memo has been drafted by the acting AA for the Office of International and Tribal Affairs (OITA) to explain the new guiding principles, which focuses on “tangible environmental results” – and should be applied as EPA provides grants to tribal governments. **As we discussed, this explains any review or holds of grants to ensure that they are in line with the Agency’s current policy priorities.**

With regard to some of the grants that were rescinded or the tribal grants discussed that were held for review, the previous administration explained on the website that it provided grants to advance priorities such as “combating climate change by limiting pollutants.”

International Grants and Cooperative Agreements

EPA provides grants and enters into cooperative agreements that support protecting human health and the environment while advancing U.S. national interests through international environmental collaboration.

Our International Priorities are:

- Building Strong Environmental Institutions and Legal Structures
- Combating Climate Change by Limiting Pollutants
- Improving Air Quality
- Expanding Access to Clean Water
- Reducing Exposure to Toxic Chemicals
- Cleaning Up Electronic Waste (E-Waste)

Strategic Plan FY14-FY18 (please see page 19 of the PDF, under adaptation):

Adaptation initiatives undertaken by EPA national programs and regional offices will carry out key elements of the President’s Climate Action Plan (June 2013) and aim to increase the resilience of communities and ecosystems to climate change by increasing their ability to anticipate, prepare for, respond to, and recover from the impacts of a changing climate. EPA is encouraging and supporting smarter, more resilient investments by integrating considerations of climate change impacts and adaptive measures into major grant, loan, contract, and technical assistance programs, consistent with existing authorities. For example, EPA is integrating climate adaptation criteria into the Clean Water and Drinking Water State Revolving Loan Funds and grants for brownfields cleanup. EPA is also partnering with states, tribes, and urban and rural communities to integrate climate change data, models, information, and other decision-support tools into their planning processes in ways that empower them to anticipate, prepare for, and adapt to a changing climate.

NATIONAL RELEASES

APRIL- [EPA Announces Grants to Reduce Emissions from Diesel Engines](#)

MAY- [Water Infrastructure Investment in City of Joshua, TX Protects the Environment and Sparks Economic Growth](#)

MAY- [EPA Awards Grant to Albemarle - Pamlico National Estuary Partnership: Protecting Natural Resources and Strengthening Local Economies](#)

MAY- [EPA Awards Multi-Million Dollar Grant to North Carolina to Protect Water Quality](#)

JUNE- [Organizations Across the Country Seek to Improve Water Infrastructure, Grow Local Economies](#)

JULY- [EPA Selects 12 Projects to Apply for Water Infrastructure Loans](#)

REGION 1

MARCH- [EPA Awards \\$3.3 Million in Wetlands Grants to Help State and Tribal Wetland Programs in New England](#)

APRIL- [New EPA Funding Opportunity for Coastal Watershed Restoration in Southeast New England](#)

MAY- [EPA Provides Brownfields Grants and Assistance to Connecticut Communities](#)

MAY- [EPA Provides Brownfields Grant and Assistance to Two NH Communities](#)

MAY- [EPA Provides Brownfields Grant and Assistance to Three Vermont Communities](#)

MAY- [EPA Provides Brownfields Grants and Assistance to Rhode Island Communities](#)

MAY- [EPA Provides Brownfields Grant and Assistance to Mass. Communities](#)

MAY- [EPA Takes Steps to Improve Water Quality in Mystic Tributaries Downstream of Belmont, Mass.](#)

MAY- [EPA Selects Lawrence, Mass. Group for Brownfields Job Training Grant](#)

MAY- [EPA Provides Brownfields Grant and Assistance to Maine Communities](#)

JUNE- [EPA to Help Bangor and Waterville, Maine Improve Health, Environment and Revitalize Local Economy](#)

JUNE- [EPA Provides Brownfields Grant and Assistance to three Vermont Communities](#)

JUNE- [Economically Disadvantaged Communities in Maine Receive \\$1.1 Million to Redevelop Contaminated Properties](#)

JUNE- [City of Taunton, Mass. Receives \\$500,000 to Redevelop Contaminated Brownfield Sites](#)

JULY- [EPA Provides Brownfields Grants to Western Massachusetts Communities](#)

JULY- [EPA Provides Brownfields Grants to Maine Communities](#)

JULY- [EPA Selects Biddeford, Maine Project to Apply for Low-Cost Water Infrastructure Loan](#)

JULY- [Rhode Island Awarded \\$852,735 EPA Grant for Environmental Programs](#)

JULY- [New Hampshire Awarded \\$936,308 EPA Grant for Environmental Programs](#)

JULY- [EPA Provides Brownfields Grants to Woonsocket and Providence, Rhode Island](#)

JULY- [EPA Awards \\$91,000 Environmental Education Grant to Woonasquatucket River Watershed Council in Providence, R.I.](#)

AUGUST- [EPA Provides Brownfields Grant to Shelton, Conn.](#)

REGION 2

MARCH- [EPA Provides Environmental Education Grants to Buffalo Niagara Riverkeeper and the Natural History Museum of the Adirondacks \(The Wild Center\)](#)

MAY- [EPA Selects Sullivan County, New York to Receive a \\$200,000 Grant to Investigate Contaminated Properties](#)

MAY- [EPA Selects Camden, New Jersey to Receive Grants Totaling \\$750,000 to Assess, Clean Up and Revitalize Contaminated Properties](#)

MAY- [EPA Selects Trenton, New Jersey to Receive a \\$200,000 Grant to Clean Up and Revitalize Contaminated Property](#)

MAY- [EPA Selects Cataño, Puerto Rico to Receive a \\$200,000 Grant to Investigate Contaminated Properties](#)

MAY- [EPA Selects Maurice River Township, New Jersey to Receive Grants Totaling \\$400,000 to Assess, Clean Up and Revitalize Contaminated Properties](#)

MAY- [EPA Selects Valley Falls, New York Receive a \\$200,000 Grant to Investigate Contaminated Property](#)

MAY- [EPA Provides \\$200,000 for Green Job Training in New York City](#)

JUNE- [Camden Redevelopment Agency to Receive \\$450,000 to Continue Work on Contaminated Brownfield Site](#)

JUNE- [EPA Provides Environmental Programs in Puerto Rico with More than One Million Dollars to Improve Water Quality](#)

JUNE- [EPA Provides Environmental Programs in N.Y. with \\$5.7 Million to Improve Water Quality](#)

JUNE- [EPA Provides Environmental Programs in Puerto Rico with More than One Million Dollars to Improve Water Quality](#)

JUNE- EPA Provides Environmental Programs in Puerto Rico with More than One Million Dollars to Improve Water Quality

JULY- EPA Grant Funds Teacher Training Through The College of New Jersey

AUGUST- EPA Provides New Jersey \$70 Million for Wastewater and Drinking Water Improvements

AUGUST- EPA Provides New Jersey with Nearly \$ 1.2 Million to Assess Contaminated Sites and Oversee Superfund Cleanups

AUGUST- EPA Provides New York \$186 Million for Wastewater and Drinking Water Improvements

REGION 3

APRIL- EPA Brownfields Funding to Revitalize

APRIL- EPA Funding to Revitalize Wilmington Brownfields

MAY- EPA Brownfields Funding Announced for West Virginia

MAY- EPA Brownfields Funding Announced for Western Pennsylvania

MAY- EPA Awards Earth Conservancy in Ashley, Pa Environmental Workforce and Development Job Training Funding

MAY- EPA Brownfields Funding Announced for Baltimore

JUNE- EPA to Help Montgomery and Smithers, West Virginia Improve Health, Environment and Revitalize Local Economy

JULY- Baltimore City One of 12 Selected by EPA To Apply For New Water Infrastructure Funding

JULY- EPA Awards \$91,000 Environmental Education Grant to Alvernia University in Reading, Pennsylvania

AUGUST- Pittsburgh gets \$600,000 in EPA Brownfields Grants to assess properties

AUGUST- EPA Announces Funding of More Than \$3.5 Million for DC Water Projects

REGION 4

FEBRUARY- EPA Awards \$1.09 million DERA Grant to Gees Bend Ferry in Wilcox County, AL

MAY- EPA Brownfields Funding Announced for Eight Communities in Mississippi

MAY- EPA Brownfields Funding Announced for Five Communities in North Carolina

MAY- EPA Brownfields Funding Announced for Three Communities in South Carolina

MAY- EPA Brownfields Funding Announced for Eau Claire, Green Bay, Sheboygan, Washington County and Wauwatosa

MAY- EPA Brownfields Funding Announced for Four Communities in Kentucky

MAY- EPA Awards \$1.15 Million to South Carolina to Protect Water Quality

MAY- EPA Selects Florida State College at Jacksonville, Fla. for Job Training Grant

JUNE- EPA Provides \$1.38 Million to Florida's Environmental Programs

JUNE- EPA to Help Kentuckians Improve Health, Environment and Revitalize Local Economy

JUNE- \$1 Million Grant will Help Mississippi Address Leaking Underground Petroleum Storage Tanks

JUNE- EPA to Help Greensboro, AL Improve Health, Environment and Revitalize Local Economy

JUNE- Mississippi Awarded \$2.15 Million EPA Grant for Environmental Programs

JUNE- EPA to Recognize Five Communities in Georgia for Receiving \$1.4 Million in Funding for Brownfield Site and Community Revitalization

JUNE- EPA Awards \$300,000 to Atlanta, GA to Assess and Clean Up Contaminated Sites and Promote Economic Redevelopment

JULY- EPA Selects Miami-Dade County, Florida Project to Apply for Water Infrastructure Finance and Innovation Act (WIFIA) Loans

JULY- EPA Selects the City of Oak Ridge, Tennessee Project to Apply for Water Infrastructure Finance and Innovation Act (WIFIA) Loans

JULY- EPA Partners with North Carolina to Protect Drinking Water

AUGUST- EPA Awards Research Grant to Georgia Environmental Protection Division for Water Quality Monitoring Project

AUGUST- EPA Awards Palm Beach County, Florida \$133,135 to Reduce Air Pollution

REGION 5

MAY- EPA Brownfields Funding Announced for Eau Claire, Green Bay, Sheboygan, Washington County and Wauwatosa

MAY- EPA Brownfields Funding Announced for Roseville, Newark, Norwalk, Painesville, Piqua, Port of Greater Cincinnati Development Authority, Youngstown and Southern Ohio Port Authority

MAY- EPA Brownfields Funding Announced for Mankato and Minnesota Pollution Control Agency

MAY- Transforming Lives and Land in Wisconsin through EPA's Brownfields Job Training Program

MAY- Transforming Lives and Land in Chicago through EPA's Brownfields Job Training Program

MAY- EPA Brownfields Funding Announced for Calhoun County, Genesee County, Michigan Department of Environmental Quality, St. Clair County and Tuscola County

JUNE- EPA to Help Anderson, Indiana, Improve Health, Environment and Revitalize Local Economy

JUNE- EPA Grant Funds Student Conservation Projects at 15 Wisconsin Schools

JUNE- Rockford, Ill., Will Receive \$700,000 to Redevelop Contaminated Brownfield Sites

JUNE- EPA provides \$2.5 million to Illinois to resume Superfund cleanup in Southeast Rockford

JUNE- Downriver Community Conference Will Receive \$500,000 to Redevelop Contaminated Brownfield Site in Tecumseh, Mich.

JUNE- EPA provides \$6.8 million to Chicago Park District for DuSable Park cleanup

JULY- EPA Awards \$550,000 to Wisconsin for Coastal Wetland Projects

JULY- EPA Awards \$120,000 to Illinois for Project in Waukegan Harbor

JULY- EPA selects Indiana Finance Authority to apply for \$436M water infrastructure loan

AUGUST- EPA awards \$45,000 grant to Sault Ste. Marie Tribe of Chippewa Indians to improve air quality in Michigan's Upper Peninsula

AUGUST- EPA partners with Michigan, Wisconsin and citizen scientists on innovative Great Lakes research project

REGION 6

APRIL- EPA Grant of More Than \$123,000 Will Help Protect Louisiana's Drinking Water Sources

MAY- EPA Grant of More Than \$330,000 Will Help Superfund Cleanups in New Mexico

MAY- EPA Grant of More Than \$158,000 Will Support Public Drinking Water Systems in Louisiana

MAY- State of Texas Receives EPA Grant of \$8.3M for Water Quality and Environmental Programs

MAY- EPA Awards Pueblo de Cochiti \$40,000 to Protect the Environment

MAY- EPA Grant of More Than \$100,000 Will Help Protect Oklahoma's Drinking Water Sources

MAY- EPA Awards Oklahoma \$855,000 to Protect Water Quality

MAY- EPA and New Mexico Partner to Prevent Water Pollution; EPA Awards \$217,660 to New Mexico Environment Department

MAY- EPA partners with Texas to eliminate water pollution; Awards \$2 Million Grant to Texas Commission on Environmental Quality

MAY- EPA and New Mexico Work for Clean Air; Million-Dollar Award to New Mexico Environmental Department

MAY- Santa Fe Community College Wins EPA Job Training Grant

MAY- EPA and Texas partner to monitor air quality; EPA Awards \$1.6 Million to Texas Commission on Environmental Quality

MAY- EPA partners with Quapaw Tribe of Oklahoma to continue cleanup at Tar Creek Superfund site; EPA awards over \$4 Million to tribe

MAY- EPA Empowers States to Safely Manage Hazardous Waste; Award of \$213,000 to New Mexico Environment Department

MAY- Oklahoma City receives \$300,000 from EPA to assess environmental hazards

MAY- New Orleans Regional Planning Commission to Receive \$300,000 from EPA to Assess Environmental Hazards

MAY- City of Austin Selected to Receive \$300,000 to Assess Environmental Hazards

JUNE- EPA Awards \$651,709 to Arkansas Department of Environmental Quality

JUNE- Oklahoma City receives additional \$500,000 from EPA to clean up environmental hazards

JUNE- EPA awards Cherokee Nation \$75,000 to protect the environment

JUNE- EPA and Arkansas to Protect Air Quality

JUNE- EPA and Texas Partner on Pesticide Safety

JUNE- EPA Awards Nearly \$77,000 to the Student Conservation Association for Environmental Education Projects in Houston Area

JUNE- EPA grant of nearly \$175,000 to state of Oklahoma will support pesticide safety

JULY- EPA and Texas team up to eliminate water pollution

JULY- Española, NM, to improve water infrastructure with EPA grant

AUGUST- EPA Grant of \$1.5M Will Help Louisiana Fight Pollution

REGION 7

MAY- EPA Awards \$200,000 to St. Louis Community College to Recruit, Train and Place Workers in Green Environmental Jobs

MAY- Hardesty Renaissance Economic Development Corporation Selected for \$200,000 EPA Brownfields Grant to Continue Cleanup of Abandoned Former Federal Complex in Kansas City, Mo.

MAY- Topeka, Kan., Selected for \$300,000 EPA Brownfields Grant to Revitalize Riverfront Area, Leverage Jobs, Promote Economic Redevelopment

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MAY- City of Dubuque, Iowa, Selected for \$200,000 EPA Brownfields Grant to Clean Up, Revitalize Former Junkyard in Washington Neighborhood

MAY- Panhandle Area Development District Selected for \$445,400 EPA Brownfields Grant to Revitalize Industrial Sites, Leverage Jobs, Promote Economic Redevelopment in Northwest Nebraska

JULY- St. Louis Metropolitan Sewer District Invited by EPA to Apply for \$43-Million Water Infrastructure Finance and Innovation Act Loan

JULY- City of Omaha Invited by EPA to Apply for \$55-Million Water Infrastructure Finance and Innovation Act Loan

AUGUST- EPA Awards Iowa \$327,000 for Superfund Combined Cooperative Agreement

AUGUST- EPA Awards Iowa \$2 Million Grant for Environmental Programs

AUGUST- EPA Awards Kansas \$2.9 Million for Nonpoint Source Pollution Prevention Program

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From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 8/24/2017 7:02:38 PM
To: Eilperin, Juliet [Ex. 6 - Personal Privacy]
Subject: Follow-Up on Grants Story
Attachments: _epaoig_20170823-17-P-0368_cert.pdf; GAP Guiding Principles_Draft Memo 080817.docx; List of Grant Press Releases 8.24.17.docx

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On the Record: Quotes to attribute to Liz Bowman:

"Decisions about grants are to ensure funding is in line with the Agency's mission and policy priorities."

"I want to underscore the fact that a very select few have been rescinded. This is simply about being aware of how taxpayer money is being spent."

...agency was pulling back grants that were going to "international entities, without providing results for American taxpayers."

To address Ryan's comment: "We review grants to see if they are providing tangible results to the American people."

Bedbugs: "Let's be clear, we are talking about \$20K for a one-day workshop on bedbugs."

Additional EPA Staff Available for Background Discussions:

Wendel Askew, Office of General Council, 202-564-3987, Askew.Wendel@epa.gov

Bruce Binder, Office of Grants and Department, 202-564-4935, Binder.Bruce@epa.gov

Ken Sylvester, Office of Grants and Department, 202-564-1902, sylvester.kenneth@epa.gov

Additional Background:

The previous administration insisted that all their work focus heavily on climate change, as outlined in their strategic plan and including in the grant-making process. As part of the change in policy focus, the attached memo has been drafted by the acting AA for the Office of International and Tribal Affairs (OITA) to explain the new guiding principles, which focuses on “tangible environmental results” – and should be applied as EPA provides grants to tribal governments. **As we discussed, this explains any review or holds of grants to ensure that they are in line with the Agency’s current policy priorities.**

With regard to some of the grants that were rescinded or the tribal grants discussed that were held for review, the previous administration explained on the website that it provided grants to advance priorities such as “combating climate change by limiting pollutants.”

International Grants and Cooperative Agreements

EPA provides grants and enters into cooperative agreements that support protecting human health and the environment while advancing U.S. national interests through international environmental collaboration.

Our International Priorities are:

- Building Strong Environmental Institutions and Legal Structures
- Combating Climate Change by Limiting Pollutants
- Improving Air Quality
- Expanding Access to Clean Water
- Reducing Exposure to Toxic Chemicals
- Cleaning Up Electronic Waste (E-Waste)

Strategic Plan FY14-FY18 (please see page 19 of the PDF, under adaptation):

Adaptation initiatives undertaken by EPA national programs and regional offices will carry out key elements of the President’s Climate Action Plan (June 2013) and aim to increase the resilience of communities and ecosystems to climate change by increasing their ability to anticipate, prepare for, respond to, and recover from the impacts of a changing climate. EPA is encouraging and supporting smarter, more resilient investments by integrating considerations of climate change impacts and adaptive measures into major grant, loan, contract, and technical assistance programs, consistent with existing authorities. For example, EPA is integrating climate adaptation criteria into the Clean Water and Drinking Water State Revolving Loan Funds and grants for brownfields cleanup. EPA is also partnering with states, tribes, and urban and rural communities to integrate climate change data, models, information, and other decision-support tools into their planning processes in ways that empower them to anticipate, prepare for, and adapt to a changing climate.

NATIONAL RELEASES

APRIL- EPA Announces Grants to Reduce Emissions from Diesel Engines

MAY- Water Infrastructure Investment in City of Joshua, TX Protects the Environment and Sparks Economic Growth

MAY- EPA Awards Grant to Albemarle - Pamlico National Estuary Partnership: Protecting Natural Resources and Strengthening Local Economies

MAY- EPA Awards Multi-Million Dollar Grant to North Carolina to Protect Water Quality

JUNE- Organizations Across the Country Seek to Improve Water Infrastructure, Grow Local Economies

JULY- EPA Selects 12 Projects to Apply for Water Infrastructure Loans

REGION 1

MARCH- EPA Awards \$3.3 Million in Wetlands Grants to Help State and Tribal Wetland Programs in New England

APRIL- New EPA Funding Opportunity for Coastal Watershed Restoration in Southeast New England

MAY- EPA Provides Brownfields Grants and Assistance to Connecticut Communities

MAY- EPA Provides Brownfields Grant and Assistance to Two NH Communities

MAY- EPA Provides Brownfields Grant and Assistance to Three Vermont Communities

MAY- EPA Provides Brownfields Grants and Assistance to Rhode Island Communities

MAY- EPA Provides Brownfields Grant and Assistance to Mass. Communities

MAY- EPA Takes Steps to Improve Water Quality in Mystic Tributaries Downstream of Belmont, Mass.

MAY- EPA Selects Lawrence, Mass. Group for Brownfields Job Training Grant

MAY- EPA Provides Brownfields Grant and Assistance to Maine Communities

JUNE- EPA to Help Bangor and Waterville, Maine Improve Health, Environment and Revitalize Local Economy

JUNE- EPA Provides Brownfields Grant and Assistance to three Vermont Communities

JUNE- Economically Disadvantaged Communities in Maine Receive \$1.1 Million to Redevelop Contaminated Properties

JUNE- City of Taunton, Mass. Receives \$500,000 to Redevelop Contaminated Brownfield Sites

JULY- EPA Provides Brownfields Grants to Western Massachusetts Communities

JULY- EPA Provides Brownfields Grants to Maine Communities

JULY- EPA Selects Biddeford, Maine Project to Apply for Low-Cost Water Infrastructure Loan

JULY- Rhode Island Awarded \$852,735 EPA Grant for Environmental Programs

JULY- New Hampshire Awarded \$936,308 EPA Grant for Environmental Programs

JULY- EPA Provides Brownfields Grants to Woonsocket and Providence, Rhode Island

JULY- EPA Awards \$91,000 Environmental Education Grant to Woonasquatucket River Watershed Council in Providence, R.I.

AUGUST- EPA Provides Brownfields Grant to Shelton, Conn.

REGION 2

MARCH- EPA Provides Environmental Education Grants to Buffalo Niagara Riverkeeper and the Natural History Museum of the Adirondacks (The Wild Center)

MAY- EPA Selects Sullivan County, New York to Receive a \$200,000 Grant to Investigate Contaminated Properties

MAY- EPA Selects Camden, New Jersey to Receive Grants Totaling \$750,000 to Assess, Clean Up and Revitalize Contaminated Properties

MAY- EPA Selects Trenton, New Jersey to Receive a \$200,000 Grant to Clean Up and Revitalize Contaminated Property

MAY- EPA Selects Cataño, Puerto Rico to Receive a \$200,000 Grant to Investigate Contaminated Properties

MAY- EPA Selects Maurice River Township, New Jersey to Receive Grants Totaling \$400,000 to Assess, Clean Up and Revitalize Contaminated Properties

MAY- EPA Selects Valley Falls, New York Receive a \$200,000 Grant to Investigate Contaminated Property

MAY- EPA Provides \$200,000 for Green Job Training in New York City

JUNE- Camden Redevelopment Agency to Receive \$450,000 to Continue Work on Contaminated Brownfield Site

JUNE- EPA Provides Environmental Programs in Puerto Rico with More than One Million Dollars to Improve Water Quality

JUNE- EPA Provides Environmental Programs in N.Y. with \$5.7 Million to Improve Water Quality

JUNE- EPA Provides Environmental Programs in Puerto Rico with More than One Million Dollars to Improve Water Quality

JUNE- EPA Provides Environmental Programs in Puerto Rico with More than One Million Dollars to Improve Water Quality

JULY- EPA Grant Funds Teacher Training Through The College of New Jersey

AUGUST- EPA Provides New Jersey \$70 Million for Wastewater and Drinking Water Improvements

AUGUST- EPA Provides New Jersey with Nearly \$ 1.2 Million to Assess Contaminated Sites and Oversee Superfund Cleanups

AUGUST- EPA Provides New York \$186 Million for Wastewater and Drinking Water Improvements

REGION 3

APRIL- EPA Brownfields Funding to Revitalize

APRIL- EPA Funding to Revitalize Wilmington Brownfields

MAY- EPA Brownfields Funding Announced for West Virginia

MAY- EPA Brownfields Funding Announced for Western Pennsylvania

MAY- EPA Awards Earth Conservancy in Ashley, Pa Environmental Workforce and Development Job Training Funding

MAY- EPA Brownfields Funding Announced for Baltimore

JUNE- EPA to Help Montgomery and Smithers, West Virginia Improve Health, Environment and Revitalize Local Economy

JULY- Baltimore City One of 12 Selected by EPA To Apply For New Water Infrastructure Funding

JULY- EPA Awards \$91,000 Environmental Education Grant to Alvernia University in Reading, Pennsylvania

AUGUST- Pittsburgh gets \$600,000 in EPA Brownfields Grants to assess properties

AUGUST- EPA Announces Funding of More Than \$3.5 Million for DC Water Projects

REGION 4

FEBRUARY- EPA Awards \$1.09 million DERA Grant to Gees Bend Ferry in Wilcox County, AL

MAY- EPA Brownfields Funding Announced for Eight Communities in Mississippi

MAY- EPA Brownfields Funding Announced for Five Communities in North Carolina

MAY- EPA Brownfields Funding Announced for Three Communities in South Carolina

MAY- EPA Brownfields Funding Announced for Eau Claire, Green Bay, Sheboygan, Washington County and Wauwatosa

MAY- EPA Brownfields Funding Announced for Four Communities in Kentucky

MAY- EPA Awards \$1.15 Million to South Carolina to Protect Water Quality

MAY- EPA Selects Florida State College at Jacksonville, Fla. for Job Training Grant

JUNE- EPA Provides \$1.38 Million to Florida's Environmental Programs

JUNE- EPA to Help Kentuckians Improve Health, Environment and Revitalize Local Economy

JUNE- \$1 Million Grant will Help Mississippi Address Leaking Underground Petroleum Storage Tanks

JUNE- EPA to Help Greensboro, AL Improve Health, Environment and Revitalize Local Economy

JUNE- Mississippi Awarded \$2.15 Million EPA Grant for Environmental Programs

JUNE- EPA to Recognize Five Communities in Georgia for Receiving \$1.4 Million in Funding for Brownfield Site and Community Revitalization

JUNE- EPA Awards \$300,000 to Atlanta, GA to Assess and Clean Up Contaminated Sites and Promote Economic Redevelopment

JULY- EPA Selects Miami-Dade County, Florida Project to Apply for Water Infrastructure Finance and Innovation Act (WIFIA) Loans

JULY- EPA Selects the City of Oak Ridge, Tennessee Project to Apply for Water Infrastructure Finance and Innovation Act (WIFIA) Loans

JULY- EPA Partners with North Carolina to Protect Drinking Water

AUGUST- EPA Awards Research Grant to Georgia Environmental Protection Division for Water Quality Monitoring Project

AUGUST- EPA Awards Palm Beach County, Florida \$133,135 to Reduce Air Pollution

REGION 5

MAY- EPA Brownfields Funding Announced for Eau Claire, Green Bay, Sheboygan, Washington County and Wauwatosa

MAY- EPA Brownfields Funding Announced for Roseville, Newark, Norwalk, Painesville, Piqua, Port of Greater Cincinnati Development Authority, Youngstown and Southern Ohio Port Authority

MAY- EPA Brownfields Funding Announced for Mankato and Minnesota Pollution Control Agency

MAY- Transforming Lives and Land in Wisconsin through EPA's Brownfields Job Training Program

MAY- Transforming Lives and Land in Chicago through EPA's Brownfields Job Training Program

MAY- EPA Brownfields Funding Announced for Calhoun County, Genesee County, Michigan Department of Environmental Quality, St. Clair County and Tuscola County

JUNE- EPA to Help Anderson, Indiana, Improve Health, Environment and Revitalize Local Economy

JUNE- EPA Grant Funds Student Conservation Projects at 15 Wisconsin Schools

JUNE- Rockford, Ill., Will Receive \$700,000 to Redevelop Contaminated Brownfield Sites
JUNE- EPA provides \$2.5 million to Illinois to resume Superfund cleanup in Southeast Rockford
JUNE- Downriver Community Conference Will Receive \$500,000 to Redevelop Contaminated Brownfield Site in Tecumseh, Mich.
JUNE- EPA provides \$6.8 million to Chicago Park District for DuSable Park cleanup
JULY- EPA Awards \$550,000 to Wisconsin for Coastal Wetland Projects
JULY- EPA Awards \$120,000 to Illinois for Project in Waukegan Harbor
JULY- EPA selects Indiana Finance Authority to apply for \$436M water infrastructure loan
AUGUST- EPA awards \$45,000 grant to Sault Ste. Marie Tribe of Chippewa Indians to improve air quality in Michigan's Upper Peninsula
AUGUST- EPA partners with Michigan, Wisconsin and citizen scientists on innovative Great Lakes research project

REGION 6

APRIL- EPA Grant of More Than \$123,000 Will Help Protect Louisiana's Drinking Water Sources
MAY- EPA Grant of More Than \$330,000 Will Help Superfund Cleanups in New Mexico
MAY- EPA Grant of More Than \$158,000 Will Support Public Drinking Water Systems in Louisiana
MAY- State of Texas Receives EPA Grant of \$8.3M for Water Quality and Environmental Programs
MAY- EPA Awards Pueblo de Cochiti \$40,000 to Protect the Environment
MAY- EPA Grant of More Than \$100,000 Will Help Protect Oklahoma's Drinking Water Sources
MAY- EPA Awards Oklahoma \$855,000 to Protect Water Quality
MAY- EPA and New Mexico Partner to Prevent Water Pollution; EPA Awards \$217,660 to New Mexico Environment Department
MAY- EPA partners with Texas to eliminate water pollution; Awards \$2 Million Grant to Texas Commission on Environmental Quality
MAY- EPA and New Mexico Work for Clean Air; Million-Dollar Award to New Mexico Environmental Department
MAY- Santa Fe Community College Wins EPA Job Training Grant
MAY- EPA and Texas partner to monitor air quality; EPA Awards \$1.6 Million to Texas Commission on Environmental Quality
MAY- EPA partners with Quapaw Tribe of Oklahoma to continue cleanup at Tar Creek Superfund site; EPA awards over \$4 Million to tribe
MAY- EPA Empowers States to Safely Manage Hazardous Waste; Award of \$213,000 to New Mexico Environment Department
MAY- Oklahoma City receives \$300,000 from EPA to assess environmental hazards
MAY- New Orleans Regional Planning Commission to Receive \$300,000 from EPA to Assess Environmental Hazards
MAY- City of Austin Selected to Receive \$300,000 to Assess Environmental Hazards
JUNE- EPA Awards \$651,709 to Arkansas Department of Environmental Quality
JUNE- Oklahoma City receives additional \$500,000 from EPA to clean up environmental hazards
JUNE- EPA awards Cherokee Nation \$75,000 to protect the environment
JUNE- EPA and Arkansas to Protect Air Quality
JUNE- EPA and Texas Partner on Pesticide Safety
JUNE- EPA Awards Nearly \$77,000 to the Student Conservation Association for Environmental Education Projects in Houston Area
JUNE- EPA grant of nearly \$175,000 to state of Oklahoma will support pesticide safety
JULY- EPA and Texas team up to eliminate water pollution
JULY- Española, NM, to improve water infrastructure with EPA grant
AUGUST- EPA Grant of \$1.5M Will Help Louisiana Fight Pollution

REGION 7

MAY- EPA Awards \$200,000 to St. Louis Community College to Recruit, Train and Place Workers in Green Environmental Jobs
MAY- Hardesty Renaissance Economic Development Corporation Selected for \$200,000 EPA Brownfields Grant to Continue Cleanup of Abandoned Former Federal Complex in Kansas City, Mo.
MAY- Topeka, Kan., Selected for \$300,000 EPA Brownfields Grant to Revitalize Riverfront Area, Leverage Jobs, Promote Economic Redevelopment

MAY- Topeka, Kan., Selected for \$300,000 EPA Brownfields Grant to Revitalize Riverfront Area, Leverage Jobs, Promote Economic Redevelopment

MAY- City of Dubuque, Iowa, Selected for \$200,000 EPA Brownfields Grant to Clean Up, Revitalize Former Junkyard in Washington Neighborhood

MAY- Panhandle Area Development District Selected for \$445,400 EPA Brownfields Grant to Revitalize Industrial Sites, Leverage Jobs, Promote Economic Redevelopment in Northwest Nebraska

JULY- St. Louis Metropolitan Sewer District Invited by EPA to Apply for \$43-Million Water Infrastructure Finance and Innovation Act Loan

JULY- City of Omaha Invited by EPA to Apply for \$55-Million Water Infrastructure Finance and Innovation Act Loan

AUGUST- EPA Awards Iowa \$327,000 for Superfund Combined Cooperative Agreement

AUGUST- EPA Awards Iowa \$2 Million Grant for Environmental Programs

AUGUST- EPA Awards Kansas \$2.9 Million for Nonpoint Source Pollution Prevention Program

AUGUST- EPA Awards Kansas \$499,000 Grant for Air Quality Programs

AUGUST- EPA Awards an Additional \$768,614 to Iowa to Combat Adverse Pesticide Exposure

REGION 8

MAY- Salish Kootenai College receives \$198K for environmental job training program in Pablo, Montana

MAY- Bent County, Colorado cleanup project receives \$132K to revitalize Fort Lyon campus

MAY- Laramie, Wyoming receives \$300K for environmental assessment and property redevelopment

JUNE- Great Falls and north-central Montana communities receive \$1M for revitalization projects

JUNE- EPA awards Wyoming Department of Environmental Quality \$850k grant to protect water quality

JULY- EPA awards North Dakota Department of Health nearly \$3.9M to protect water quality

JULY- EPA awards South Dakota Department of the Environment and Natural Resources over \$2.5M grant to protect water quality

JULY- EPA awards Montana Department of Environmental Quality over \$2M grant to protect water quality

AUGUST- \$1.6M grant to help Wyoming address Leaking Underground Petroleum Storage Tanks

AUGUST- Logan River watershed receives portion of \$1m grant for water quality improvement projects

REGION 9

FEBRUARY- EPA awards \$380,000 to Diné College for abandoned uranium mine study

MARCH- EPA awards nearly \$1 million to Commonwealth of Northern Mariana Islands

APRIL- U.S. EPA awards \$300,000 to East Bay small business that harnesses microbes for green chemistry

APRIL- EPA awards nearly \$1.3 million to Guam for environmental protection

MAY- U.S. EPA Selects East Bay Group for Environmental Job Training Grant

MAY- U.S. EPA Announces \$300,000 in Brownfields Grants to Promote Economic Redevelopment in Bakersfield

MAY- U.S. EPA Announces \$300,000 in Brownfields Grants to the City of Pittsburg to Revitalize its Northern Industrial Waterfront

MAY- U.S. EPA Announces \$900,000 to the Honolulu Authority for Rapid Transportation to Assess and Clean Up Contaminated Sites in Oahu

MAY- U.S. EPA Announces \$1.9 Million in Brownfields Grants to Promote Economic Redevelopment Across Northern California

MAY- U.S. EPA Announces \$1.4 Million in Brownfields Grants to Promote Economic Redevelopment in Southern California Communities

MAY- U.S. EPA Announces \$300,000 in Brownfields Grants to Promote Economic Redevelopment in the City of Sacramento

MAY- U.S. EPA Announces \$1.2 million in Brownfields Grants to Promote Economic Redevelopment in Carson City, Douglas and Nye Counties

MAY- U.S. EPA Announces \$900,000 in Brownfields Grants to Promote Economic Redevelopment in Arizona

MAY- U.S. EPA Announces \$7.2 Million in Brownfields Grants to Promote Economic Redevelopment Across the Pacific Southwest

JUNE- EPA awards over \$866,000 to American Samoa for environmental protection

JUNE- U.S. EPA awards \$300,000 to clean up lead in Humboldt County

JUNE- U.S. EPA Awards More than \$320,000 to California, Arizona Tribes to Reduce Diesel Emissions

JUNE- U.S. EPA Awards \$91,000 to Groundwork San Diego to Educate Students and Community on Water Conservation

JULY- EPA Selects Orange County Project to Apply for Water Infrastructure Loan

JULY- EPA Selects San Diego Project to Apply for Water Infrastructure Loan

JULY- EPA Selects San Francisco Project to Apply for Water Infrastructure Loan

JULY- EPA Selects Morro Bay Project to Apply for Water Infrastructure Loan

AUGUST- U.S. EPA awards \$200,000 to improve Lake Tahoe's clarity

AUGUST- EPA Awards Arrow Indian Contractors \$3.85 Million for Abandoned Uranium Mine Cleanup

AUGUST- EPA Announces \$2.86 Million to Improve Tribal Lands in Arizona

REGION 10

MARCH- Alaska Selected to Receive \$2.5 Million EPA Grant to Improve Air Quality in Fairbanks

MARCH- Idaho Selected to Receive \$2.5 Million EPA Grant to Improve Air Quality in Cache Valley

MAY- EPA Selects Zender Environmental Health and Research Group for \$200,000 Environmental Workforce Development and Job Training Grant

MAY- Skamania County Selected for \$300,000 in Brownfields Assessment Grants

MAY- City of St. Helens Selected for \$300,000 in Brownfields Assessment Grants

MAY- City of Bremerton Selected for \$300,000 in Brownfields Assessment Grants

MAY- City of Eugene and Partners Selected for \$500,000 in Brownfields Assessment Grants

MAY- Grays Harbor Council of Governments Selected for \$600,000 in Brownfields Assessment Grants

MAY- EPA Selects Communities in Alaska, Oregon and Washington for Brownfields Assessment and Cleanup Grants

JUNE- EPA awards \$513K to Alaska & Washington tribes to protect communities from diesel emissions

JULY- King County qualifies for \$129 million from innovative EPA infrastructure loan for Georgetown wet weather treatment station

AUGUST- EPA awards \$1.1 million to Idaho to protect drinking water sources

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 7/18/2017 10:39:42 PM
To: Love, Kelly A. EOP/WHO [Kelly.A.Love@who.eop.gov]
CC: Dorr, Kaelan K. EOP/WHO [Kaelan.K.Dorr@who.eop.gov]; Rateike, Bradley A. EOP/WHO [Bradley.A.Rateike@who.eop.gov]
Subject: RE: HuffPost: Senator Joins Ethics Probe That Could Get EPA Chief Scott Pruitt Disbarred

Just sent, following Kaelan's call (he just keeps calling me today!).

From: Love, Kelly A. EOP/WHO [mailto:Kelly.A.Love@who.eop.gov]
Sent: Tuesday, July 18, 2017 6:31 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Dorr, Kaelan K. EOP/WHO <Kaelan.K.Dorr@who.eop.gov>; Rateike, Bradley A. EOP/WHO <Bradley.A.Rateike@who.eop.gov>
Subject: FW: HuffPost: Senator Joins Ethics Probe That Could Get EPA Chief Scott Pruitt Disbarred

Hi All – Do we have talkers on this below?

Senator Joins Ethics Probe That Could Get EPA Chief Scott Pruitt Disbarred

HuffPost

Alexander C. Kaufman

July 18, 2017 – 10:56 AM

>http://www.huffingtonpost.com/entry/scott-pruitt-ethics-probe_us_596cf43ce4b0e983c05800ed?ncid=engmodushpimg00000004<

The former Oklahoma attorney general is under investigation for misleading Congress about his emails.

Environmental Protection Agency Administrator Scott Pruitt has been caught repeatedly misleading Congress about his use of different email accounts during his six years as Oklahoma's attorney general.

He said he used just one email, when he actually had two. He sent official correspondence from a personal address, and appeared to deliberately delay public-records requests to cover his tracks before facing a Senate confirmation hearing.

Now, a senator involved in that confirmation process is backing an effort that could get Pruitt disbarred in his home state, Oklahoma, for violating ethics rules.

Sen. Sheldon Whitehouse (D-R.I.) plans to submit a lengthy statement and 60 pages of evidence to the Oklahoma Bar Association on Tuesday for its investigation into Pruitt, whom he accuses of lying to him during and after the hearing before the Senate Environment and Public Works Committee. The bar association began probing Pruitt in March in response to an ethics complaint filed by an environmental group and a University of Oklahoma law professor.

Whitehouse, in a letter provided to HuffPost before he submitted it to the bar association, says Pruitt's "misleading answers, evasiveness, and stonewalling" prevented lawmakers from fully vetting the candidate before advancing his nomination for a Senate confirmation vote.

"I have had a front-row seat for Mr. Pruitt's misleading testimony and his ongoing failure to respond completely and truthfully to Committee requests for him to set the record straight," Whitehouse wrote in the letter, addressed to bar association general counsel Gina Hendryx. "This conduct is unbecoming of an attorney who is also a public official and who, under law, is required to testify truthfully to Congress."

Pruitt's deep ties to fossil fuel industries whose pollution he's now charged with policing became a lightning rod during his confirmation process. Correspondence published by The New York Times in 2014 as part of a Pulitzer Prize-winning series showed Pruitt allowing lawyers from Devon Energy, an oil and gas company, to write a complaint to the EPA under his official letterhead. Since taking office, Pruitt has spent an unusual amount of time courting fossil fuel executives amid aggressive rollbacks of regulations and programs to address climate change.

His failure provide accurate testimony on his email use fuels concerns that he misled lawmakers to obscure his push to boost oil and gas profits ahead of public health. If he is found guilty of violating rules, the bar association could choose to sanction Pruitt, suspend his license or, in the most severe scenario, disbar him for at least five years.

It's unclear how disbarment would affect his job as EPA administrator.

"He misstated the facts over and over again," Whitehouse told HuffPost in a phone interview on Monday. "This was a case of repeat prevarications, not just an inadvertent slip."

During his first appearance before Congress in January, Pruitt claimed he never used his personal email address for official business. He told Whitehouse that there were "no other email addresses." After the hearing, he confirmed the statement, telling Whitehouse: "I have used two email addresses since becoming attorney general of Oklahoma. I use a personal email address for personal email, and an official email address for official business. The domain of my personal email address is me.com and the domain for my official email address is oag.ok.gov."

On Feb. 21, four days after he the Senate narrowly confirmed his nomination, the Oklahoma attorney general's office released 7,564 pages of Pruitt's emails under court order following a lawsuit from the nonprofit Center for Media and Democracy. The correspondence showed Pruitt using his personal email for official purposes, contradicting his testimony.

In June, the second cache of emails handed over to the Wisconsin-based watchdog group revealed that Pruitt used two addresses for the Oklahoma attorney general's office: scott.pruitt@oag.ok.gov, and esp@oag.ok.gov. The latter, as The Washington Post noted, used the initials for Pruitt's full name, Edward Scott Pruitt.

Whitehouse said Pruitt stonewalled efforts to make the emails public under Oklahoma's Open Records Act. In the five months after Mike Hunter, Pruitt's successor, took over, his office cleared a backlog of open-records requests that dated back to 2014.

The EPA did not respond to a request for comment on Monday.

"Somebody needs to hold Scott Pruitt to account or at least investigate some of the questions that remain on his record during his time as Oklahoma attorney general," Nick Surgey, research director at the Center for Media and Democracy, told HuffPost by phone. "There were many questions that were asked during his confirmation hearing that should have been answered but they weren't."

John Williams, executive director of the Oklahoma Bar Association, declined to comment on the status of the investigation, but said it could be many months before it concludes.

"It can be a fairly elaborate and lengthy process," Williams told HuffPost. In anticipation of Whitehouse's submission, he said: "I assume that would cause the investigation to go on longer."

If the bar association concludes that Pruitt violated ethics rules, the case is turned over to a committee that determines whether charges should be filed, and a special tribunal responsible for holding hearings. Ultimately, the state Supreme Court reviews the investigation.

The ethics complaint could provide legal ammunition for other challenges to Pruitt's regulatory agenda. Whitehouse said lawsuits opposing EPA rollbacks of rules on oil and gas companies could go after Pruitt for alleged conflicts of interest.

"It's regrettable that these steps have to be taken about somebody who has been shoved into a Cabinet-level position in the government of the United States of America," Whitehouse said. "But that's the world under Trump."

To: Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Bowman, Liz
Sent: Fri 4/20/2018 1:52:56 PM
Subject: RE: FOR APPROVAL -- EPA Morning News Highlights 04.20.18

thanks

From: Daniell, Kelsi
Sent: Friday, April 20, 2018 9:19 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: FOR APPROVAL -- EPA Morning News Highlights 04.20.18

EPA Morning News Highlights 04.20.18

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BNA: Indian to Get EPA Money for Lead Cleanup, Water Upgrades.

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state. EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend \$1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

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Briertbart: Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration. He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

Gulf Live: EPA Administrator Signs \$107.6 Million Memorandum to Clean Mississippi Phosphates Site

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for \$107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula. In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula. The Action Memorandum signed Wednesday selects a \$71.6 million cleanup that will take place from 2018 through 2020, plus \$36 million for ongoing wastewater treatment during the three-year cleanup period.

Daily Caller: Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel. The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business. Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

Tulsa World: Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Named EPA Head

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver. As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

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National Morning News Highlights 04.20.18

Associated Press: In Comey Memos, Trump Fixates on 'Hookers,' Frets Over Flynn

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

The Washington Post: Trump Hires Giuliani, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference. The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

TRUMP TWEETS

BNA

<https://www.bna.com/indiana-epa-money-n57982091298/>

Indiana to Get EPA Money for Lead Cleanup, Water Upgrades

By: David Schultz, 4/19/18

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state.

EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend \$1.7 million to

address lead contamination at the former copper, lead, and zinc smelter.

Pruitt also highlighted a \$436 million loan from the Environmental Protection Agency to Indiana through the agency's Water Infrastructure Finance and Innovation Act program, which provides low-cost financing for drinking water and wastewater infrastructure upgrades. The agency first announced last summer it had accepted Indiana's application for this loan as part of its first-ever round of financing under the program established in 2014.

The EPA said in an April 19 statement that the money would flow through to the state "once all needed processes are complete." The loan cleared a preliminary EPA environmental review earlier this year. This loan is one of 12 that the EPA granted through its first \$2.3 billion round of financing through this program.

The agency's press office did not immediately respond to Bloomberg Environment's request for comment on what specific actions the EPA took on April 19 on the Indiana loan or about whether the loan has been finalized.

Pruitt Talks to Residents

The announcement came after Pruitt personally visited Whiting, which is on Lake Michigan, and spoke with people living near the contaminated Federated Minerals site.

"There was a woman who was a property owner waiting for them," Thomas Frank, an activist with the East Chicago, Ind.-based Community Strategy Group, an environmental justice advocacy coalition, told Bloomberg Environment. "Apparently her property tested high in lead and she was showing them where the tests had occurred,"

Pruitt was at the Indiana site about 10 or 15 minutes, Frank said.

Pruitt also made a stop lasting less than 20 minutes at the EPA's Region 5 headquarters in Chicago, Mike Mikulka, president of American Federation of Government Employees Local 704 union, told Bloomberg Environment.

Brietbart

<http://www.breitbart.com/big-government/2018/04/19/exclusive-talgo-epa-administrator-scott-pruitt-should-be-applauded-not-attacked/>

Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked

By: Chris Talgo, 4/19/18

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration.

He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

The disingenuousness of these attacks is made evident by the silence of these same groups when several Obama-era federal agencies engaged in illegal and/or unethical activities. The fact very few Americans know the name "Richard Windsor" is proof of selective outrage by "good government" groups and the media. (Windsor is the name of a fake EPA employee created by former EPA head Lisa Jackson to skirt public-records laws.)

Thankfully, Pruitt is not letting ad hominem attacks distract him from his mission of implementing a "back to basics" agenda for EPA. Unlike most of his predecessors at EPA and his opponents on the left, Pruitt believes, "We can and we will achieve clean air and clean water and we will also have strong economic growth and job creation at the same time."

To accomplish these long-overdue reforms, Pruitt has focused on and been incredibly successful at implementing a "three E's" strategy: concentrating on the environment, economy, and engagement with state and local governments.

1. Protecting the Environment

2.

Under Obama, the EPA became a highly politicized agency, one that had been captured by radical environmental groups. When Pruitt took office, he vowed to refocus the agency on its core mission: protecting the environment and staying out of politics.

In May 2017, Pruitt created the Super Fund Task Force “to provide recommendations for improving and expediting site cleanups and promoting redevelopment.” As of this writing, EPA has already completed seven Super Fund site clean-ups.

Additionally, EPA is prioritizing drinking water problems, including the egregious lead problem that arose during the Obama era in Flint, Michigan.

2. Sensible regulations that encourage economic growth

Obama’s two EPA administrators, Jackson and Gina McCarthy, instituted an unprecedented era of unnecessary, costly, burdensome rulemaking, undermining personal property rights and economic growth.

Fortunately, Pruitt has put an end to this. His highlights, which are many, include announcing that the United States will pull out of the Paris climate accord.

In 2016, Obama pushed the United States into the Paris climate agreement, which analysts found would reduce U.S. gross domestic product by more than \$2.5 trillion and result in an average annual job loss of nearly 400,000 by 2035 compared to jobs projections without the accord.

Pruitt has been a staunch advocate of withdrawing from this fake “treaty,” and his support for the idea surely contributed to Trump’s decision to pull back from the Paris accords.

In October 2017, Pruitt proposed repealing Obama’s Clean Power Plan, a set of regulations that economists estimated would cost U.S. taxpayers \$40 billion per year and produce no effect on global carbon dioxide levels.

Also in October, Pruitt issued a directive to end EPA’s “sue and settle” practices, a scheme in which radical environmental groups sue EPA to impose their agenda and EPA chooses not to fight the lawsuit in order to satisfy radical environmentalists’ demands.

Putting the interests of ordinary Americans ahead of special-interest groups, Pruitt declared in October 2017 “the days of regulation through litigation are over.”

In another measure designed to protect consumers, Pruitt announced in March 2018 the EPA will no longer use “secret science” in crafting regulations. Going forward, EPA rulemaking will be transparent and based on good data—not ideology.

Most recently, Pruitt suspended for review the onerous Corporate Annual Fuel Economy (CAFE) standards Obama’s regime rushed through near the end of his final term. These burdensome regulations mandated unachievable fuel economy standards and would have forced carmakers to produce vehicles Americans don’t want—and for an extra \$3,800 per vehicle and negligible environmental benefits.

3. Engaging with state and local partners

For decades, EPA has usurped power from state and local governments. Pruitt is reversing this disturbing trend by instituting “cooperative federalism.” Under this program, EPA will coordinate with state and local governments, rather than dictating edicts. His track record so far includes his revision of the definition and implementation of Obama’s 2015 Waters of the United States rule (WOTUS), which was overly broad and abusive. WOTUS effectively granted to the federal government jurisdiction over every puddle and tiny body of water on private land.

“EPA is restoring states’ important role in the regulation of water,” Pruitt stated when announcing the end of the rule.

EPA is also establishing Compliance Assistance Centers to “help businesses, colleges and universities, local governments, tribes and federal facilities understand and comply with environmental requirements and save money,” and it’s introducing Next Generation Compliance standards to “reduce costs and saves time and resources, while improving compliance.”

Under Pruitt, the EPA is no longer imposing onerous rules that stifle economic growth and bankrupt the country. Instead, Pruitt is enacting levelheaded regulations that strike a proper balance between protecting the environment and maintaining consumer freedom.

After little more than a year on the job, Pruitt has transformed EPA's culture and restored its mission. The EPA Swamp has been substantially drained, a huge setback for power-grabbing leftists. And it's primarily for that reason the left and mainstream media have succumbed to attacking Pruitt's character. Just imagine how apoplectic they will get if Pruitt is allowed to continue his record of success in the years ahead!

Gulf Live

http://blog.gulflive.com/mississippi-press-news/2018/04/epa_administrator_signs_1076_m.html

EPA Administrator Signs \$107.6 Million Memorandum to Clean Mississippi Phosphates Site

By: Tyler Carter, 4/19/18

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for \$107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula.

In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula.

The Action Memorandum signed Wednesday selects a \$71.6 million cleanup that will take place from 2018 through 2020, plus \$36 million for ongoing wastewater treatment during the three-year cleanup period.

"In just over a year, EPA has taken multiple important actions to accelerate the remediation of the Mississippi Phosphates Superfund Site," Pruitt said. "This memo reflects my commitment to addressing Superfund sites as quickly and safely as possible to ensure human health and economic activity in the surrounding areas are fully protected."

The cleanup plan identified in the Action Memorandum focuses on the closure of the East Gypsum Stack and the North Ponds at the West Gypsum Stack. The cleanup will eliminate storage of more than 500 million gallons of contaminated water on site and reduce the volume of water requiring treatment by an estimated 98 percent.

Design of the closure system is underway. EPA is evaluating the possible use of local dredge spoil to cap and close the East Gypsum Stack.

In response to comments received during the public comment period, EPA is also evaluating the use of engineered geosynthetic turf products as an alternative cap/cover system in its design.

The MPC Site is a former diammonium phosphate fertilizer plant that began operation in the 1950s. The facility ceased operations in December 2014 under Chapter 11 bankruptcy protection, leaving more than 700,000,000 gallons of acidic, nutrient-rich wastewater stored at the facility.

The wastewater--if improperly discharged--may be toxic to fish and other forms of marine life and can also cause algal blooms. Previous releases of untreated wastewater from the site (before EPA took over wastewater treatment operations) resulted in fish kills.

EPA currently oversees wastewater treatment at a rate of approximately 2-4 million gallons per day--at a cost of over \$1 million per month--due to the high volume of wastewater requiring treatment. EPA has expended approximately \$17 million to treat wastewater at the site.

EPA assumed control of wastewater treatment operations at the former MPC fertilizer facility

once the MPC Environmental Trust, which owns the property, ran out of funds in February 2017.

"Pascagoula has lived with this catastrophic issue for years with no response," Mayor Dane Maxwell said. "Since President Trump took office and under Administrator Pruitt not only have we had a response, but it has been from the highest levels. Making Mississippi Phosphates cleanup a priority is very important for the entire Gulf Coast."

Daily Caller

<http://dailycaller.com/2018/04/19/associated-press-scott-pruitt-travel/>

Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

By: Jason Hopkins, 4/19/18

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel.

The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business.

Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

However, there is one major detail included about Southwest Airlines: They do not offer first-class travel. This detail was included in the body of the AP article, but the headline and angle of the report framed Pruitt as a hypocrite when it comes to personal travel.

“Despite their misleading headline, the Associated Press knowingly reported that there are no premium-class seats on Southwest Airlines,” read a Wednesday statement from the EPA. “The fact is: Administrator Pruitt consistently follows the same security measures, which is not about sitting in first class but sitting near the front of the plane. It’s impossible to fly first-class on Southwest Airlines, however Administrator Pruitt always sat in the first few rows of the aircraft.”

This was not the only detail the EPA took issue with. The AP claimed on Twitter that it confirmed their story with the agency.

However, EPA spokesperson Jahan Wilcox said this tweet is false and that the agency never confirmed their report. “The same security procedures are followed whether Administrator Pruitt is on official or personal travel,” the official statement provided to the AP read. The statement neither confirmed nor denied the story.

Pruitt, who has racked up thousands of dollars in travel expenses since taking the helm of the EPA, has received immense criticism for taking first-class flights on taxpayer dollars. Democrats and other Pruitt opponents have used news of his expensive flights to push for his ouster. The EPA, however, maintains more expensive flights are necessary for his safety.

Pruitt has been the target of aggression and profane language at airports since leading the agency.

“He was approached in the airport numerous times, to the point of profanities being yelled at him and so forth,” Henry Barnett, director of the EPA’s Office of Criminal Enforcement, told Politico in a Feb. 15 [report](#). “We felt that based on the recommendation from the team leader, the special agent in charge, that it would be better suited to have him in business or first class, away from

close proximity from those individuals who were approaching him and being extremely rude, using profanities and potential for altercations and so forth.”

Tulsa World

http://www.tulsaworld.com/news/usworld/scott-pruitt-showed-penchant-for-travel-drivers-even-before-being/article_4aa07e53-b8ff-5241-a223-58d1829655d2.html

Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Names EPA Head

By: Ellen Knickmeyer and Sean Murphy, 4/20/18

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver.

As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

Records obtained by The Associated Press show Pruitt traveled extensively as Oklahoma's attorney general, taking 18 out-of-state trips in 2015 and 2016, for example, including 11 to Washington, D.C. Although some travel expenses were reimbursed by conservative think tanks where Pruitt spoke, records show no sign of reimbursement for several trips involving appearances before them.

Immediately after taking office as attorney general, Pruitt started using a full-time driver who chauffeured him in a large black SUV from his home in Tulsa to the office in Oklahoma City, about 90 miles away.

Pruitt's daily calendars show the driver — variously shown on the records as "driver" or "agent" — was often an office investigator, a licensed law enforcement officer who typically investigates crimes for the agency.

"It appears he created his own security detail," said Gary Jones, Oklahoma's state auditor and a fellow Republican.

As EPA administrator, Pruitt has been under intense scrutiny since it was first revealed last month that he had stayed last year in a bargain-priced Capitol Hill condo tied to a fossil-fuels lobbyist. Multiple investigations have been launched by government watchdogs and congressional committees looking into luxury travel expenses, outsized security spending and massive raises awarded to political appointees.

Lincoln Ferguson, a former spokesman for the attorney general who now serves as a senior adviser to him at the EPA, said if Pruitt's out-of-state travel was strictly for political purposes, it would have been paid for by campaign funds. But travel records show the trips were arranged through a state-contracted travel agency, and few show any reimbursement was made.

In Oklahoma, Pruitt routinely made the three-hour commute from his home in Tulsa to the state Capitol in Oklahoma City during the working day, according to the calendars.

The entry for Dec. 7, 2015, for example, shows the entry: "8:15 to 9:45, depart Tulsa for OKC" and "3:30-5, depart OKC for Tulsa."

That was despite Pruitt expanding his office's Tulsa branch during his time. The AP reported in December 2016 that the move to bigger, pricier offices in Tulsa were part of a 40 percent increase in his office's expenses as attorney general. Pruitt also added nearly 60 employees to the attorney general's office.

By contrast, Pruitt's predecessor, Democrat Drew Edmondson, who held the attorney general post for 16 years, said he typically used a four-door sedan and drove himself to events.

Ferguson, the senior adviser to Pruitt, said "there was no wasted time" on Pruitt's commutes between Tulsa and Oklahoma City.

"He was working, reviewing documents, on the phone," Ferguson said.

Overall spending on travel by Pruitt's office averaged about \$270,000 a year in his last four years as Oklahoma's attorney general, up 26 percent from his predecessor's final year in office. The figures do not include a total for Pruitt's trips alone. The attorney general's office spent \$201,000 on travel during his predecessor's last year in the office.

The calendars are heavily redacted and entire days are blacked out.

But the records do show Pruitt frequently traveled to Washington to speak to groups including the Federalist Society; the Club for Growth, a free-enterprise advocacy group; and an anti-abortion rally. He also made similar appearances elsewhere, such as one before the small-government FreedomWorks group in Cleveland on "Battling the Regulatory State."

"If it's not state-related, then the state should not be responsible for" the cost, said Jones, the state auditor. "You can't use any public assets for personal or political reasons."

Records show many of the trips occurred during the workweek, when Pruitt was drawing a state salary of \$132,000. Oklahoma broadly bans first-class tickets for state employees. The travel records show only one first-class flight for Pruitt, with a scrawled note on it showing Pruitt's campaign paid for it.

Edmondson, who is now running for governor, said his travel expenses as attorney general typically covered national and regional conventions of attorneys general.

"I think you'll find that his out-of-state travel would far exceed any other attorney general" in Oklahoma, said former Gov. David Walters, a Democrat, who recalled Pruitt speaking before local clubs on topics such as the Obama administration, rather than crime or consumer fraud in Oklahoma.

Conservative groups hosting Pruitt appeared to reimburse most of Pruitt's flights and some other direct state travel expenses after 2015, and some beforehand.

But on one trip in January 2016, Pruitt billed taxpayers more than \$1,000 for a trip to Washington in which he held separate meetings with executives of three conservative think tanks: the APP Foundation, The Federalist Society and Club for Growth. There was no record of reimbursement for that trip. Three weeks later, Pruitt spent the weekend in California for a dinner and a speech to The Federalist Society, which reimbursed the state for his travel.

Associated Press

<https://apnews.com/e29d5563fc0c45caa4faa6b3749405a6/Comey-memo:-Trump-complained-about-Flynn's-judgment-issues>

In Comey memos, Trump fixates on 'hookers,' frets over Flynn

By: Mary Clare Jalonick, Eric Tucker, and Chad Day, 4/20/18

In a series of startlingly candid conversations, President Donald Trump told former FBI Director James Comey that he had serious concerns about the judgment of a top adviser, asked about the possibility of jailing journalists and described a boast from Vladimir Putin about Russian prostitutes, according to Comey's notes of the talks obtained by The Associated Press on Thursday night.

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

The documents had been eagerly anticipated since their existence was first revealed last year, especially since Comey's interactions with Trump are a critical part of special counsel Robert Mueller's investigation into whether the president sought to obstruct justice. Late Thursday night, Trump tweeted that the memos "show clearly that there was NO COLLUSION and NO OBSTRUCTION."

The president also accused Comey of leaking classified information. The memos obtained by the AP were unclassified, though some portions were blacked out as classified. Details from Comey's memos reported in news stories last year appear to come from the unclassified portions.

In explaining the purpose of creating the memos, which have been provided to Mueller, Comey has said he "knew there might come a day when I would need a record of what had happened" to defend not only himself but the FBI as well.

The memos cover the first three months of the Trump administration, a period of upheaval marked by staff turnover, a cascade of damaging headlines and revelations of an FBI investigation into potential ties between the Trump campaign and Russia. The documents reflect Trump's uneasiness about that investigation, though not always in ways that Comey seemed to anticipate.

In a February 2017 conversation, for instance, Trump told Comey how Putin told him, "we have some of the most beautiful hookers in the world" even as the president adamantly, and repeatedly, distanced himself from a salacious allegation concerning him and prostitutes in Moscow, according to one memo.

In another memo, Comey recounts how Trump at a private White House dinner pointed his fingers at his head and complained that Flynn, his embattled national security adviser, "has serious judgment issues." The president blamed Flynn for failing to alert him promptly to a congratulatory call from a world leader, causing a delay for Trump in returning a message to an official whose name is redacted in the documents.

"I did not comment at any point during this topic and there was no mention or acknowledgment of any FBI interest in or contact with General Flynn," Comey wrote.

By that point, the FBI had already interviewed Flynn about his contacts with the Russian ambassador, Sergey Kislyak, and the Justice Department had already warned White House officials that they were concerned Flynn was vulnerable to blackmail.

Flynn was fired Feb. 13, 2017, after White House officials said he had misled them about his Russian contacts during the transition period by saying that he had not discussed sanctions. The following day, according to a separate memo, Comey says Trump cleared the Oval Office of other officials, encouraged him to let go of the investigation into Flynn and called him a good guy. Flynn pleaded guilty to lying to the FBI and is now cooperating with Mueller's investigation.

The memos reveal that days before Flynn's firing, then-White House chief of staff Reince Priebus asked Comey if Flynn's communications were being monitored under a secret surveillance warrant.

"Do you have a FISA order on Mike Flynn?" Priebus asked Comey, according to the memos, referring to an order under the Foreign Intelligence Surveillance Act.

Comey said he "paused for a few seconds and then said that I would answer here, but that this illustrated the kind of question that had to be asked and answered through established channels."

Comey's response is redacted on the unclassified memos.

The memos also show Trump's continued distress at a dossier of allegations — compiled by an ex-British spy whose work was funded by the Democratic National Committee and the Clinton campaign — examining potential ties between him and his aides and the Kremlin. Comey writes how Trump repeatedly denied to him having been involved in an encounter with Russian prostitutes in a Moscow hotel.

“The President said ‘the hookers thing’ is nonsense,” Comey writes, noting that Trump then related the conversation with Putin about the “most beautiful hookers.” Comey says Trump did not say when Putin had made the comment.

The documents also include the president’s musings about pursuing leakers and imprisoning journalists. They also provide insight into Comey’s personal and professional opinions. He judges the administration’s travel ban to be legally valid, and he takes a swipe at former Attorney General Loretta Lynch, calling her predecessor, Eric Holder, “smarter and more sophisticated and smoother.”

The memos were provided to Congress earlier Thursday as House Republicans escalated criticism of the Justice Department, threatening to subpoena the documents and questioning officials.

In a letter sent to three Republican House committee chairmen Thursday evening, Assistant Attorney General Stephen Boyd wrote that the department was sending a classified version of the memos and an unclassified version. The department released Boyd’s letter publicly but did not release the memos. The chairmen issued a statement late Thursday saying the memos show that Comey clearly never felt threatened, and Trump didn’t obstruct justice.

Justice officials had allowed some lawmakers to view the memos but had never provided copies to Congress. Boyd wrote that the department had also provided the memos to several Senate committees.

Boyd wrote in the letter that the department “consulted the relevant parties” and concluded that releasing the memos would not adversely affect any ongoing investigations. Mueller is investigating potential ties between Russia and Trump’s 2016 campaign as well as possible obstruction of justice by the president.

Comey is on a publicity tour to promote his new book, “A Higher Loyalty.” He revealed last year that he had written the memos after conversations with Trump.

He said in an interview Thursday with CNN that he's "fine" with the Justice Department turning his memos over to Congress.

"I think what folks will see if they get to see the memos is I've been consistent since the very beginning, right after my encounters with President Trump, and I'm consistent in the book and tried to be transparent in the book as well," he said.

Washington Post

https://www.washingtonpost.com/politics/trump-hires-giuliani-two-other-attorneys-amid-mounting-legal-turmoil-over-russia/2018/04/19/8346a7ca-4418-11e8-8569-26fda6b404c7_story.html?utm_term=.995f4a24ac4a

Trump hires Giuliani, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

By: Robert Costa, Josh Dawsey and Rosalind Helderman, 4/19/18

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference.

The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

The entry of Giuliani, an experienced attorney with a combative reputation, immediately raises questions about how Trump will engage with Mueller and the leadership at Justice. Some Trump advisers are concerned that the president could use his executive authority to close or diminish the special counsel probe, which has spawned a parallel investigation in New York targeting his personal attorney.

“I’m doing it because I hope we can negotiate an end to this for the good of the country and because I have high regard for the president and for Bob Mueller,” Giuliani said in an interview Thursday.

Trump said in a statement that Giuliani “wants to get this matter quickly resolved.”

In recent days, the president has been regularly venting and speculating to aides about his legal status and the expected timeline for the Russia investigation to end, according to associates briefed on the discussions.

Rudolph W. Giuliani was an ardent supporter of President Trump during the 2016 campaign, and the former New York mayor was considered for the post of attorney general. (Mike Segar/Reuters)

Trump also loudly and repeatedly complained to several advisers earlier this week that former FBI director James B. Comey, former deputy FBI director Andrew McCabe and former Democratic presidential nominee Hillary Clinton, among others, should be charged with crimes for misdeeds alleged by Republicans, the associates said.

Although White House officials said Thursday that Trump has not called Justice Department officials or taken any formal action, the persistent grouching has made some advisers anxious, according to two people close to the president. A publicity tour by Comey to promote his book critical of Trump, “A Higher Loyalty,” has attracted particular attention from the president, who has disparaged Comey publicly and privately.

Trump also complained this week about Supreme Court Justice Neil M. Gorsuch, saying the judge had proved too liberal in recent cases, according to administration officials who heard about the complaints. Associates said he was incensed that Gorsuch had voted against the administration on an immigration case and said it renewed his doubts that Gorsuch would be a reliable conservative. One top Trump adviser played down the comments as unhappiness with Gorsuch’s decision rather than with Gorsuch broadly.

Giuliani, 73, brings a familiarity with several of the legal fronts that Trump is navigating. He is a former associate attorney general and a former U.S. attorney for the Southern District of New

York, which is the office overseeing an investigation of Trump's personal attorney, Michael Cohen.

Trump counsel Jay Sekulow said Thursday that former federal prosecutors Jane Serene Raskin and Marty Raskin, a couple who manage a Florida-based law firm, have also agreed to join the legal team.

Giuliani is certain to come under intense scrutiny for his role. His own pre-election activities two years ago have been the subject of criticism from Democrats, especially television interviews in which he suggested he had sources providing him inside information about the FBI's investigation of Clinton's private email server when she was secretary of state.

A Justice Department Inspector General report on the department's handling of the Clinton investigations is expected to be released in coming weeks and will probably include results of leak investigations regarding the Clinton probe.

Numerous other challenges face the attorneys who will work alongside Sekulow and counsel Ty Cobb — who have functioned as Trump's legal nucleus for weeks following the resignation of John Dowd, a legal veteran and the team's former leader. Dowd stepped down in March amid clashes over strategy and whether Trump should sit for a voluntary interview with Mueller. The legal team has often been beset by infighting.

"The big question is, how's he going to play with everybody else?" said a lawyer involved with the investigation who was not authorized to speak publicly. "Will he be combative Rudy, or will he play well with Mueller's team? Will he try to walk . . . back from the brink and answer the big question, which is whether the president will sit for an interview? And will Trump listen to him?"

Giuliani declined to say whether Trump has made a final decision on whether to sit for an interview with federal investigators. Trump has been mulling it for weeks, moving away from the idea after the home, offices and hotel room of Cohen were raided this month. Trump reacted angrily, calling it "disgraceful."

“It’s too early for me to say that,” Giuliani replied, when asked whether a Trump interview is unlikely to happen.

Giuliani also declined to discuss whether Deputy Attorney General Rod J. Rosenstein, who has been under fire from conservatives and oversees the Russia probe, could be fired by the president in the coming weeks.

“I’m not involved in anything about those issues. My advice on Mueller has been this: He should be allowed to do his job. He’s entitled to do his job.”

Giuliani said he formalized his decision in recent days, including over dinner last week at Trump’s Mar-a-Lago resort in Florida. Giuliani and Trump spoke Thursday about the legal plan moving forward, along with Sekulow, whom he has known for years and called a friend. He added that he and Cobb also spoke, on Wednesday.

Giuliani — who will take a leave from his law firm, Greenberg Traurig, and is in the midst of a divorce from his third wife — said he would spend a “great deal of time” in Washington working with Trump but would continue to live in New York. He has been frequently seen holding court at the Trump International Hotel in Washington, dining and drinking with friends and browsing for gourmet cigars.

Trump had considered Giuliani for attorney general and has said in recent weeks he needs a New York-based attorney. Many leading white-collar lawyers, such as former solicitor general Theodore Olson, have declined Trump’s entreaties, often citing conflicts or expressing unease about the high-profile case.

Trump is also known to be a difficult client who does not always listen to his attorneys’ advice, according to lawyers who know him. And Giuliani, once a top adviser, grew frustrated with his treatment during the transition and had receded from the inner circle.

As he has closely monitored cable-news programs chronicling his presidency and the Mueller

probe, Trump has swatted away the notion that he cannot attract prominent attorneys. He has also spoken about his desire for a bolstered team and wondered aloud about the damage that Cohen's legal proceedings could bring, according to the associates briefed on the discussions, who requested anonymity to talk about them.

Giuliani's arrival is part of a broader shift in Trump's inner circle toward the core allies and brusque and brutal style that defined his outsider presidential campaign and his business career. Beyond Mueller, aides said everyone and everything around Trump feels liable to become a target for his wrath as he grapples with difficult issues at home and abroad, in Syria and North Korea.

"What we've been seeing with the president is that he is picking A-level people that he knows are experienced but also know him well," said Trump ally Christopher Ruddy, the president and CEO of Newsmax Media, a conservative outlet. "One of the problems in the first year was that people didn't work out because they didn't know him and they didn't have experience for the position."

Trump Tweets



Donald J. Trump ● @realDonaldTrump · 2h



Looks like OPEC is at it again. With record amounts of Oil all over the place, including the fully loaded ships at sea, Oil prices are artificially Very High! No good and will not be accepted!

💬 6.9K ↺ 9.7K ❤️ 37K ✉



Donald J. Trump ● @realDonaldTrump · 2h



Nancy Pelosi is going absolutely crazy about the big Tax Cuts given to the American People by the Republicans...got not one Democrat Vote! Here's a choice. They want to end them and raise your taxes substantially. Republicans are working on making them permanent and more cuts!

💬 8.1K ↺ 11K ❤️ 38K ✉



Donald J. Trump ● @realDonaldTrump · 3h



So exciting! I have agreed to be the Commencement Speaker at our GREAT Naval Academy on May 25th in Annapolis, Maryland. Looking forward to being there.

💬 7.0K ↺ 7.8K ❤️ 43K ✉



Donald J. Trump ● @realDonaldTrump · 3h



So General Michael Flynn's life can be totally destroyed while Shadey James Comey can Leak and Lie and make lots of money from a third rate book (that should never have been written). Is that really the way life in America is supposed to work? I don't think so!

💬 17K ↺ 12K ❤️ 43K ✉

To: Daniell, Kelsi[daniell.kelsi@epa.gov]
Cc: Wilcox, Jahan[wilcox.jahan@epa.gov]; Konkus, John[konkus.john@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Block, Molly[block.molly@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Bowman, Liz
Sent: Wed 1/10/2018 2:35:10 PM
Subject: Re: FOR APPROVAL -- EPA Morning News Highlights 01.10.18

Thanks

Sent from my iPhone

On Jan 10, 2018, at 8:56 AM, Daniell, Kelsi <daniell.kelsi@epa.gov> wrote:

EPA Morning News Highlights 01.10.18

Reuters: Exclusive: Trump's EPA aims to replace Obama-era climate, water regs in 2018

A top EPA priority for 2018 is to replace the Obama-era Clean Power Plan which would have slashed carbon emissions from power plants. The U.S. Environmental Protection Agency will replace Obama-era carbon and clean water regulations and open up a national debate on climate change in 2018, part of a list of priorities for the year that also includes fighting lead contamination in public drinking water.

NewsOK: Contaminated Eagle Industries site in Midwest City added to EPA priorities list

A contaminated industrial site along Midwest City's border with Oklahoma City was added Tuesday to the Environmental Protection Agency's national priorities list for Superfund site. The designation signifies the site is one of the nation's most severely polluted parcels of land. Soil and groundwater around the former Eagle Industries property at 10901 SE 29th St. are contaminated with trichloroethylene and dichloroethane, according to Oklahoma Department of Environmental Quality investigators.

Miami News Record: Tar Creek Superfund Site Makes Pruitt's Priority List

The Tar Creek Superfund Site made U.S. EPA Administrator Scott Pruitt's list of Superfund Sites Targeted for Immediate and Intense Action, but no commitment of additional funding

is associated with the site's inclusion on the list. The Tar Creek Superfund Site is included on a list of 21 sites across the nation making the list. The EPA considered sites that could benefit from Pruitt's direct engagement and sites that have identifiable actions to protect human health and the environment.

Times Free Press: Local Site Proposed for List of Country's Most Toxic Places

A local site composed of residential properties, including areas used by children, has been proposed to be put on a list of the country's most toxic places. The Southside Chattanooga Lead Site is one of 10 sites across the country recommended to be added to the Superfund Program's National Priorities List by the Environmental Protection Agency.

US News: Michigan Sets Standard for Chemical Contaminant in Water

Michigan regulators on Tuesday set a state threshold for chemicals that were once widely used and are being found in drinking water, a move they said will let them issue violation notices and take legal action if needed. The announcement is the latest as Republican Gov. Rick Snyder's administration scrambles to combat potential health risks in tap water that stem from the chemicals used in firefighting, waterproofing, carpeting and other products.

Newark Post: EPA Adds Contaminated Newark Site to Superfund List

The Environmental Protection Agency has agreed to add a site in Newark to the National Priorities List – a list of contaminated sites eligible for remedial action financed under the federal Superfund program. The agency will conduct a remedial investigation and feasibility study to determine the extent of contamination and evaluate various cleanup options, a spokesperson said.

National Morning News Highlights 01.10.18

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Los Angeles Times: At least 13 dead as heavy rains trigger flooding, mudflows and freeway closures across Southern California

At least 13 people were killed Tuesday when a rainstorm sent mud and debris coursing through Montecito neighborhoods and left rescue crews to scramble through clogged roadways and downed trees to search for victims. The deluge that washed over Santa

Barbara County early Tuesday was devastating for a community that was ravaged by the Thomas fire only a few weeks earlier. In just a matter of minutes, pounding rain overwhelmed the south-facing slopes above Montecito and flooded a creek that leads to the ocean, sending mud and massive boulders rolling into residential neighborhoods, according to Santa Barbara County Fire Department spokesman Mike Eliason.

Fox News: US Oks selling Japan missiles to shoot down North Korean missiles

The Trump administration has approved a \$133.3 million missile defense sale to Japan to meet the escalating threat from North Korea — by shooting down the rogue nation's own ballistic missiles. The State Department says Congress was notified Tuesday of the proposed sale of four missiles for the SM-3 Block IIA interceptor.

CNBC: China is reportedly thinking of halting US Treasury purchases and that's worrying markets right now

China, the United States' biggest buyer of sovereign bonds, could be slowing down or even halting its purchases, according to a report. Bloomberg News reported Wednesday, citing people familiar with the matter, that officials in Beijing have recommended the Chinese government lowers — or even stops — its buying of U.S. sovereign debt.

Wall Street Journal: Amid signs of a thaw in North Korea, Tensions bubble up

A tentative move toward diplomacy over the confrontation with North Korea has begun, though that hardly means the tension is evaporating. In a village on their heavily militarized border, North and South Korean officials opened talks Tuesday, ostensibly over possible North Korean participation in the coming South Korean Olympics. South Korea would like the talks to expand beyond that, toward finding broader ways to lower tensions.

Reuters

<http://news.trust.org/item/20180110023844-vd9k3/>

Exclusive: Trump's EPA aims to replace Obama-era climate, water regs in 2018

By: Valerie Volcovici and David Shepardson, 1/9/18

A top EPA priority for 2018 is to replace the Obama-era Clean Power Plan which would have slashed carbon emissions from power plants

The U.S. Environmental Protection Agency will replace Obama-era carbon and clean water regulations and open up a national debate on climate change in 2018, part of a list of priorities for the year that also includes fighting lead contamination in public drinking water.

The agenda, laid out by EPA Administrator Scott Pruitt in an exclusive interview with Reuters on Tuesday, marks an extension of the agency's efforts under President Donald Trump to weaken or kill regulations the administration believes are too broad and harm economic growth, but which environmentalists say are critical to human health.

"The climate is changing. That's not the debate. The debate is how do we know what the ideal surface temperature is in 2100?... I think the American people deserve an open honest transparent discussion about those things," said Pruitt, who has frequently cast doubt on the causes and implications of global warming.

Pruitt reaffirmed plans for the EPA to host a public debate on climate science sometime this year that would pit climate change doubters against other climate scientists, but he provided no further details on timing or which scientists would be involved.

Pruitt said among the EPA's top priorities for 2018 will be to replace the Clean Power Plan, former President Barack Obama's centerpiece climate change regulation which would have slashed carbon emissions from power plants. The EPA began the process of rescinding the regulation last year and is taking input on what should replace it.

"A proposed rule will come out this year and then a final rule will come out sometime this year," he said. He did not give any details on what the rule could look like, saying the agency was still soliciting comments from stakeholders.

He said the agency was also planning to rewrite the Waters of the United States rule, another Obama-era regulation, this one defining which U.S. waterways are protected under federal law. Pruitt and Trump have said the rule marked an overreach by including streams that are shallow, narrow, or sometimes completely dry - and was choking off energy development.

Pruitt said that in both cases, former President Barack Obama had made the rules by executive order, and without Congress. "We only have the authority that Congress gives us," Pruitt said.

Pruitt's plans to replace the Clean Power Plan have raised concerns by attorneys general of states like California and New York, who said in comments submitted to the EPA on Tuesday that the administrator should recuse himself because as Oklahoma attorney general he led legal challenges against it.

BIOFUELS AND STAFF CUTS

Pruitt said he hoped for legislative reform of the U.S. biofuels policy this year, calling it "substantially needed and important" because of the costs the regulation imposes on oil refiners.

The Renewable Fuel Standard, ushered in by former President George W. Bush as a way to help U.S. farmers, requires refiners to blend increasing amounts of biofuels like corn-based ethanol into the nation's fuel supply every year.

Refining companies say the EPA-administered policy costs them hundreds of millions of dollars annually and threatens to put some plants out of business. But their proposals to change the program have so far been rejected by the Trump administration under pressure from the corn lobby.

The EPA in November slightly raised biofuels volumes mandates for 2018, after previously opening the door to cuts.

The White House is now mediating talks on the issue between representatives of both sides, with input from EPA, and some Republican senators from states representing refineries are working on possible legislation to overhaul the program.

Pruitt said he also hoped Congress could produce an infrastructure package this year that would include replacing municipal water pipes, as a way of combating high lead levels in certain parts of the United States.

"That to me is something very tangible very important that we can achieve for the American people," he said.

Pruitt added that EPA also continuing its review of automobile fuel efficiency rules, and would be headed to California soon for more meetings with the California Air Resources Board to discuss them.

California in 2011 agreed to adopt the federal vehicle emission rules through 2025, but has signaled it would opt out of the standards if they are weakened – a move that would complicate matters for automakers serving the huge California market.

In the meantime, Pruitt said EPA is continuing to reduce the size of its staff, which fell to 14,162 employees as of Jan. 3, the lowest it has been since 1998, under Ronald Reagan when the employment level was 14,400. The EPA employed about 15,000 when Obama left office.

Nearly 50 percent of the EPA will be eligible to retire within the next five years, according to the agency.

NewsOK

<http://newsok.com/contaminated-eagle-industries-site-in-midwest-city-added-to-epa-priorities-list/article/5578891>

Contaminated Eagle Industries site in Midwest City added to EPA priorities list

By: Justin Wingerter, 1/9/18

A contaminated industrial site along Midwest City's border with Oklahoma City was added Tuesday to the Environmental Protection Agency's national priorities list for Superfund site.

The designation signifies the site is one of the nation's most severely polluted parcels of land. Soil and groundwater around the former Eagle Industries property at 10901 SE 29th St. are contaminated with trichloroethylene and dichloroethane, according to Oklahoma Department of Environmental Quality investigators.

"Groundwater resources at the site and the surrounding area are threatened by the contamination," the EPA wrote in a memo Tuesday. "(Trichloroethylene) has been found in off-site private drinking water wells. The site is an area of recharge for the Central Oklahoma aquifer system, which is a major source of groundwater in Central Oklahoma."

Contamination at Eagle Industries was first discovered in 2003. The company, which had dumped contaminants in violation of state law, closed in 2010 without paying a fine.

The EPA announced in early August it would consider adding Eagle to its national priorities list at the request of Gov. Mary Fallin. Several months of public comment followed, leading to Tuesday's announcement.

"Once again, Administrator (Scott) Pruitt is making it clear that he's focused on protecting the environment by partnering with states to clean up contaminated sites in local communities," said U.S. Sen. Jim Inhofe, R-Tulsa.

"By adding the Eagle Industries site in Oklahoma City to the National Priorities List, it will give the site increased attention for long-term clean-up efforts and focus on revitalizing the area for development and economic activity," he added.

The adverse public health ramifications of Eagle's illegal actions have not dissipated. Trichloroethylene, or TCE, has been found within nearby residential water wells. State investigators distributed a fact sheet to residents that stated TCE "may cause nervous system effects, liver and lung damage, abnormal heartbeat, coma and possibly death."

"It is clear that the TCE is migrating, with the likelihood of affecting approximately 30 additional residences and businesses," stated an internal DEQ memo obtained by The Oklahoman in an open records request. "Eagle Industries lies in Midwest City. The plume of pollution is flowing into Oklahoma City."

On Tuesday, the EPA wrote, "There are currently no readily available alternative drinking water sources for the 18 family homes south of Eagle Industries."

"Today's action ensures the necessary resources are available for effective and safe revitalization of some of the most contaminated sites across the country," Pruitt said in a statement.

EPA cleanup efforts could eventually extend to a second Eagle site, where the company operated for decades, beginning in 1957. Since an investigation by The Oklahoman found Eagle employees may have also dumped trichloroethylene at the site, 8828 SE 29th St., state investigators and Midwest City have agreed to test the soil and groundwater there. The property is owned by Midwest City.

Rita Kottke, an environmental programs director at DEQ, told Midwest City council members last month that EPA headquarters in Washington had shown an interest in the 8828 site. The EPA contacted DEQ and pushed them to conduct environmental testing, the first step in the Superfund process, according to Kottke.

When soil and groundwater tests are complete in the coming months, several outcomes are possible. The tests could find no cause for concern, allowing Midwest City to develop the 8828 site and attract a grocery store or other retail opportunity. The tests could find minor contamination curative with soil extraction and other actions. Or the tests could find dire contamination requiring massive EPA action.

Miami News Record

<http://www.miamiok.com/news/20180109/tar-creek-superfund-site-makes-pruitts-priority-list>

Tar Creek Superfund Site Makes Pruitt's Priority List

By: Melinda Stotts, 1/9/18

The Superfund list came in direct response to the EPA's Superfund Task Force Recommendations issued in July of 2017.

MIAMI – The Tar Creek Superfund Site made U.S. EPA Administrator Scott Pruitt's list of Superfund Sites Targeted for Immediate and Intense Action, but no commitment of additional funding is associated with the site's inclusion on the list.

The Tar Creek Superfund Site is included on a list of 21 sites across the nation making the list.

The EPA considered sites that could benefit from Pruitt's direct engagement and sites that have identifiable actions to protect human health and the environment.

The listed sites require timely resolution of specific issues to expedite cleanup and redevelopment efforts, according to the EPA's press release, and the list is designed to spur action at sites where opportunities exist to act quickly and comprehensively.

The Superfund list came in direct response to the EPA's Superfund Task Force Recommendations issued in July of 2017.

According to the EPA, Pruitt will receive regular updates on the listed sites, but the EPA remains dedicated to addressing the risks of all Superfund sites.

There are currently more than 1,300 Superfund sites on EPA's National Priorities List at various stages in the cleanup process

The Task Force recommendations are aimed at expediting cleanup at all sites and Pruitt has set the expectation of a renewed focus on accelerating work and progress.

The list released on Dec. 8 includes the following U.S. Superfund Sites Mohawk Tannery in Nashua, New Hampshire, Centredale Manor Restoration Project in North Providence in Rhode Island, American Cyanamid Co. in Bound Brook, New Jersey, Diamond Alkali Co. (aka Upper Lower Passaic) Newark, New Jersey, Ventron/Velsicol (aka Berry's Creek) in Wood Ridge Borough, New Jersey, L.A. Clarke & Son in Spotsylvania, Virginia, B.F. Goodrich in Calvert City, Kentucky, Mississippi Phosphates Corporation in Pascagoula, Mississippi, U.S. Smelter and Lead Refinery Inc. (aka USS Lead or East Chicago) in East Chicago, Indiana, Allied Paper Inc./Portage Creek/Kalamazoo River in Kalamazoo, Michigan, Tar Creek (Ottawa County) in Ottawa County, Oklahoma, San Jacinto Waste Pits in Channelview, Texas, Des Moines TCE (aka Dico Company) in Des Moines, Iowa, West Lake Landfill in Bridgeton, Missouri, Bonita Peak Mining District in San Juan County, Colorado, Anaconda Co. Smelter in Anaconda, Montana, Silver Bow Creek/Butte Area I Butte, Montana, Orange County North Basin in Fullerton, California, Anaconda Copper Mine in Lyon County, Nevada, Portland Harbor in Portland, Oregon and Quendall Terminal in Renton, Washington.

All 21 sites have been designated the nation's Superfund sites for years, some for decades. Tar Creek was first officially designated a Superfund in 1983.

Millions and millions, well over \$300 million, of federal funding has been expended for cleanup and buyout of the Tar Creek Superfund Site which continues today and is expected to continue for more decades to come.

Pruitt is a former Oklahoma state senator and served the state as attorney general before his nomination by President Trump to the EPA and confirmation to the post in February of 2017.

During his time serving as Oklahoma's attorney general Pruitt refused to release the state audit conducted regarding the Lead-Impacted Communities Relocation Trust (LICRAT), a Public Trust and Agency of the State of Oklahoma buyout of the Tar Creek Superfund Site despite the objection of other state officials.

A non-profit Washington, DC watchdog group, Campaign for Accountability (CfA) filed a lawsuit in the District Court of Oklahoma in November of 2017 against Oklahoma Attorney General Mike Hunter and Oklahoma State Auditor and Inspector Gary Jones for failing to release copies of audits and documents related to corruption allegations associated with the management of the Tar Creek Reclamation site in the state, according to their press release.

“While he was serving as the Attorney General of Oklahoma, EPA Administrator Scott Pruitt declined to bring criminal charges in response to an audit that found evidence of criminal wrongdoing at the Tar Creek Reclamation site,” said CfA Executive Director Daniel E. Stevens in a press release issued by Nov. 27, 2017, by CfA. “Why did he refuse to bring charges? We don’t know because the Oklahoma Attorney General’s office has repeatedly refused to release documents related to this audit.”

Pruitt claimed if released the information in the audit might unfairly embarrass private civilians.

Times Free Press

<http://www.timesfreepress.com/news/breakingnews/story/2018/jan/09/local-site-proposed/460875/>

Local site proposed for list of country's most toxic places

By: Mark Pace, 1/9/18

A local site composed of residential properties, including areas used by children, has been proposed to be put on a list of the country's most toxic places.

The Southside Chattanooga Lead Site is one of 10 sites across the country recommended to be added to the Superfund Program's National Priorities List by the Environmental Protection Agency.

"The priority for proposing the Site is protecting children by identifying and cleaning up lead-contaminated soil at residential properties and other areas where children may be present," according to a release from the EPA.

The site is located where waste material was used in past decades as fill or top soil in Alton Park, Cowart Place, Jefferson Heights, Richmond and the Southside Gardens areas in the southwestern portion of Chattanooga.

Lead levels at the site were detected above health-based benchmarks. The EPA will work with other groups and agencies to clean the site and replace it with clean soil.

Sites are added to the National Priorities List when contaminants are considered threats to human health and the environment.

The move is another step in EPA Administrator Scott Pruitt's goal to identify and clean toxic sites. The announcement comes on the heels of a targeted campaign for "immediate

and intense attention" to clean and restore 21 sites in the U.S.

US News

<https://www.usnews.com/news/best-states/michigan/articles/2018-01-09/michigan-sets-standard-for-chemical-contaminant-in-water>

Michigan sets standard for chemical contaminant in water

By: David Eggert, AP, 1/9/18

Michigan regulators on Tuesday set a state threshold for chemicals that were once widely used and are being found in drinking water, a move they said will let them issue violation notices and take legal action if needed.

The announcement is the latest as Republican Gov. Rick Snyder's administration scrambles to combat potential health risks in tap water that stem from the chemicals used in firefighting, waterproofing, carpeting and other products.

The combined standard for perfluorooctanoic acid and perfluorooctanesulfonic acid is 70 parts per trillion. That mirrors a federal advisory level set in 2016.

"This new standard allows us to take regulatory enforcement actions, something we have not been able to do absent a state criterion," Michigan Department of Environmental Quality Director Heidi Grether said in a statement. "This means we will now have tools to mandate a responsible party conduct activities to address PFOA and PFOS contamination, thereby reducing risk to human health and the environment."

The expectation is that parties will voluntarily comply with clean up criteria, she said.

Per- and polyfluoroalkyl substances, or PFAS, have been detected at military bases, water treatment plants and, most recently, an old industrial dump site for footwear company Wolverine World Wide. The contaminants, classified by the U.S. Environmental Protection Agency as "emerging" nationally, have sparked enough concern that Snyder in November created a state response team and last month enacted \$23 million in emergency spending passed by the Legislature.

The chemicals were used in scores of industrial applications and have been detected in human and animal blood around the world. The Agency for Toxic Substances and Disease Registry said scientists are uncertain about how they affect human health at exposure levels typically found in food and water. But some studies suggest the chemicals might affect fetal development, disrupt hormonal functions, damage fertility and immune systems, and boost the risk of cancer.

At least 1,000 homes with private wells in the Plainfield Township area north of Grand Rapids, near where Wolverine dumped hazardous waste decades ago, have been tested for PFAS contamination in recent months.

Also Tuesday, Snyder announced the creation of two advisory committees to the response team.

One, to be led by Dr. David Savitz of Brown University, will review the science and make recommendations within six months — including potentially a stricter state PFAS standard. Democrats are proposing legislation to establish a 5 parts per trillion limit, which would be the country's toughest guidelines.

The other advisory committee will focus on the public health impact of the contamination and be led by Dr. Eden Wells, Michigan's chief medical executive.

She has been charged with involuntary manslaughter, obstruction of justice and lying to an investigator as part of a criminal investigation of Flint's water crisis, but Snyder has stood behind her. In November, he appointed her to lead a new Public Health Advisory Council.

Newark Post

http://www.newarkpostonline.com/news/epa-adds-contaminated-newark-site-to-superfund-list/article_bd185770-1678-57de-91c0-40f653ecd7af.html

EPA adds contaminated Newark site to Superfund list

By: Josh Shannon, 1/9/18

The Environmental Protection Agency has agreed to add a site in Newark to the National Priorities List – a list of contaminated sites eligible for remedial action financed under the federal Superfund program.

“Today’s action ensures the necessary resources are available for effective and safe revitalization of some of the most contaminated sites across the country,” EPA Administrator Scott Pruitt said in a prepared statement.

The agency will conduct a remedial investigation and feasibility study to determine the extent of contamination and evaluate various cleanup options, a spokesperson said.

City and state officials first asked for federal help investigating the cause of groundwater pollution in 2016.

The issue involves the area surrounding the city’s South Well Field, located on a narrow property off South Chapel Street, between Brookside and Scottfield. Water from the South Well Field feeds the southern part of the city, roughly as far north as Kells Avenue. The northern part of the city gets its water from White Clay Creek and the Newark Reservoir.

Nearly 20 years ago, city officials noticed volatile organic compounds (VOCs) – including

chemicals commonly found in dry cleaning solvents and other industrial solvents and degreasers – seeping into the water and installed a treatment system in 2003. The chemicals are toxic but are easily removed in treatment, according to Tom Coleman, acting city manager for the city of Newark.

“It’s been in place since 2003, and we don’t have any problem treating it,” Coleman explained in 2016. “It’s just an expense.”

Coleman emphasized that treatment eliminates the VOCs from the water.

“Our water is safe, has been safe and will continue to be safe,” he said.

The Delaware Department of Natural Resources and Environmental Control has been studying the cause of the pollution but has been unable to pinpoint the source.

The contamination is believed to be in two groundwater plumes. One is beneath Pencader Plaza, the Blue Hen Industrial Park and homes around Scottfield Drive. The second is beneath a portion of the Diamond State Industrial Park along Bellevue Road.

Officials believe the VOCs may have come from industrial chemicals used or spilled in the industrial parks.

A year ago, the EPA conducted preliminary tests at monitoring wells in Brookside and Scottfield, as well as in the commercial areas along South Chapel Street. The agency was testing for “vapor intrusion,” which is the migration of VOCs from contaminated groundwater into nearby buildings through openings in the building foundation.

The study found the concentration of VOCs does not present a vapor intrusion concern to nearby residents and businesses.

Los Angeles Times

<http://www.latimes.com/local/lanow/la-me-ln-rainfall-mudflow-20180109-story.html>

At least 13 dead as heavy rains trigger flooding, mudflows and freeway closures across Southern California

By: James Queally, Joseph Serna, Michael Livingston and Ruben Vines, 1/9/18

At least 13 people were killed Tuesday when a rainstorm sent mud and debris coursing through Montecito neighborhoods and left rescue crews to scramble through clogged roadways and downed trees to search for victims.

The deluge that washed over Santa Barbara County early Tuesday was devastating for a community that was ravaged by the Thomas fire only a few weeks earlier. In just a matter of minutes, pounding rain overwhelmed the south-facing slopes above Montecito and flooded a creek that leads to the ocean, sending mud and massive boulders rolling into residential neighborhoods, according to Santa Barbara County Fire Department spokesman Mike Eliason.

At least 25 other people were injured, authorities said at an afternoon press conference. Crews rescued 50 people by air and dozens more from the ground.

“It’s going to be worse than anyone imagined for our area,” Eliason said in a phone interview Tuesday. “Following our fire, this is the worst-case scenario.”

The deaths came after a heavy band of rain struck around 2:30 a.m., causing “waist-high” mudflows, Eliason said.

Late Tuesday, about 300 people remained stuck in their homes in Montecito's Romero Canyon neighborhood after impassable roads halted rescue operations, officials said.

First-responders plan to launch aerial rescues at daybreak for those residents, all of whom are safe.

"So far there isn't a concern about anybody being in any potential danger in that area," said Rosie Narez, a spokeswoman for the multi-agency storm response. "There's no way in or out, so I mean, at some point ... you're going to run out of stuff, so you're going to need help."

Authorities said the residents are in a mandatory evacuation zone.

The mudslide struck a section of the city that is south of the Thomas fire's burn area and was not subject to a mandatory evacuation, Eliason said. Rescue personnel have yet to even make it north of Highway 192, which is closer to soil scorched by last month's wildfire. Burned areas are less capable of absorbing water, making them even more susceptible to flooding and mudslides.

Officials had no estimate on how many people could be trapped or how many homes were damaged. The search for survivors was still underway Tuesday afternoon, with many places inaccessible.

Stationed in Hawaii for the Navy, Tyler McManigal, 28, was notified Tuesday that his father and brother were swept away by flooding in Montecito.

In a phone interview, he said he knew very little else about what happened.

McManigal said when the flash flood and mud flow began, his 64-year-old father, John, woke up and rushed over to wake up his brother, Connor, 23. The pair were unable to make it out of their home in the 300 block of Hot Springs Road, just north of Olive Mill Road.

The torrent of brown liquid mixed with branches, rocks, boulders and other debris carried away the family home — along with McManigal's brother and father.

"They found my brother probably three-quarters of a mile away, south of where the house is, on the 101 Freeway," he said, adding that Connor was taken to a local hospital.

"My brother is OK," he said.

But his father, who has six children, is yet to be found, said McManigal, who is trying to get back home.

The founder of St. Augustine Academy in Ventura was among those killed early Tuesday when a powerful mudslide swept him and his wife from their Montecito home.

Roy Rohter was identified by officials at Thomas Aquinas College, from which his daughter graduated in 2000. His wife, Theresa, was rescued and is in stable condition, officials said.

Friends remembered Rohter as an energetic leader and generous benefactor of the college.

"Roy Rohter was a man of strong faith and a great friend of Catholic education," Michael F. McLean, president of the college, said in a statement posted on the school's website. "He played a pivotal role in the lives of countless young Catholic students — students who came to a deeper knowledge and love of Christ because of his vision, commitment and generosity."

Michael Van Hecke, headmaster of St. Augustine, said in a statement that Rohter “has done so much for so many people and pro-life and Catholic education causes. ... Thousands have been blessed by the Rohters’ friendship and generosity.”

Emergency crews spent the first hours of light making rescues in voluntary evacuation zones near Montecito Creek north of U.S. 101.

In the 300 block of Hot Springs Road, crews rescued six people and a dog after four homes were destroyed. The mud lifted one home off of its foundation and carried it into trees, where it then collapsed, Eliason said. Firefighters used the jaws of life to cut their way into the home where a firefighter heard muffled cries for help from a 14-year-old girl, Eliason said.

A rescue dog pinpointed the girl’s location and two hours later, the mud-covered girl was pulled free. A second 14-year-old girl was also rescued from the same neighborhood and carried from ankle-high mud in a basket by half a dozen firefighters.

The U.S. Coast Guard also sent rescue helicopters into the area Tuesday morning, hoisting several people from collapsed homes or rooftops that stood above swirling mud and water. Rescue personnel were also able to save a young boy who was swept more than half a mile south from his house after the building was lifted from its foundation in Montecito, authorities said.

The boy was found alive under a U.S. 101 overpass, authorities said. But his father remains unaccounted for.

On Hot Springs Road on Tuesday afternoon, a dozen sheriff’s deputies carried a body on a gurney from a collapsed house as muddy water raced down the street. The deputies surrounded the body in silence for several moments before placing it gently into an emergency vehicle.

According to the National Weather Service in Los Angeles, the highest preliminary rainfall total appeared to register at roughly 5 inches in a gauge north of Ojai in Ventura County, in the burn area of the Thomas fire, which forced evacuations and destroyed homes last month. With heavy showers still forecast, flash flood warnings remained in effect for Santa Barbara County and southern Ventura County through Tuesday afternoon, according to the National Weather Service.

The 101 Freeway was shut down in both directions for more than 30 miles in the Thomas fire burn area because of flooding and debris flow, spanning an area from Santa Barbara to Ventura, according to the California Highway Patrol. Sections of routes 33 and 150 were also closed in Ventura County, according to the Sheriff's Department. There was no estimate for when the roadways might reopen, a California Department of Transportation spokesman said Tuesday afternoon.

In Los Angeles, one person was killed when a big rig overturned in the northbound lanes of the 5 Freeway near Los Feliz, said Saul Gomez, public information officer for the California Highway Patrol's Southern Division. All northbound lanes were closed as of 4 a.m., though Gomez said police were hoping to reopen the roadway by 8 a.m.

The victim, who was not identified, was approximately 60 years old, Gomez said. No one else was injured. While the accident happened as rain fell across Los Angeles County, Gomez said he could not confirm the crash was storm-related.

The fatal crash was one of hundreds that occurred during the downpour. Between 5 and 9 a.m. Tuesday, there were 275 traffic collisions reported on Los Angeles-area freeways, the California Highway Patrol said. There were only 30 during the same time period a week ago.

Santa Barbara County officials evacuated nearly 7,000 residents from foothill communities shortly before the heaviest surge hit the area, according to Sheriff's Office spokeswoman Kelly Hoover.

About 3 a.m., she said, the storm became ferocious.

“We just had a deluge, a power surge of rain. And we had a report of a structure fire burning in the Montecito area, the San Ysidro area. And it just kept going downhill from there,” she said. “We have people stuck in their homes, stuck in their cars. There’s downed power lines, flooded roadways, debris.”

Hoover said the shutdown of the 101 Freeway was heavily hindering rescue efforts.

“There’s no way to get from Ventura here, no way for us to get south,” Hoover said. “We’re encouraging people to stay off the roads if they’re in an evacuation area.”

By 8:30 a.m., the county’s dispatch center had at least 50 calls pending, she said.

Santa Barbara County officials put a boil water notice in effect for the entire Montecito Water District on Tuesday afternoon.

In Los Angeles County, there was “mudslide activity” on Country Club Drive in Burbank, where police ordered evacuations of all homes east of Via Montana on Tuesday morning. The Police Department released footage of water surging across a roadway and urged people not to attempt to drive over it. Some vehicles were picked up and moved by the surge, and a few homes suffered minor damage, but no one had been injured as of 1 p.m., according to Sgt. Derek Green, a Burbank police spokesman.

The torrent of mud and debris sheared at least three fire hydrants, pumping another 130,000 gallons of water onto the debris flow, said Bill Mace, an assistant general manager of water systems for Burbank Water and Power. The department was able to cut off the pressure to each hydrant, but 14 homeowners will be without water for at least two days, Mace said.

Country Club Drive residents Allie Vonnacher, 17, and her mom, Heidi Donato-Fennell, 42, said they awoke to the site of several cars flowing down the street, along with power lines, trees and mailboxes.

“It’s just surreal how powerful nature is,” Donato-Fennell said. “You just hope it stays contained in the street and it doesn’t become life-threatening.”

Surges also washed out Topanga Canyon Boulevard north of Pacific Coast Highway, and sections of the 110 Freeway were closed because of flooding. The Los Angeles Fire Department had to launch a swift-water rescue to aid a man and a dog trapped in rising water near the Sepulveda Basin Recreation Area, and a Los Angeles police cruiser became mired in a debris flow on La Tuna Canyon Road, according to authorities. The officer was uninjured and walked out of the vehicle. The cruiser was in the process of being dug out of the mud with a backhoe early Tuesday.

International travelers arriving at Los Angeles International Airport also had to be diverted from Terminal 2 on Tuesday morning, after the customs area became flooded, the airport said on Twitter.

The CHP also said heavy rains likely contributed to a crash that left one person dead on Highway 126 in Ventura County, about two miles from the Los Angeles County line, on Monday afternoon. One woman died and two others were injured in the five-car crash, the agency said.

The National Weather Service was reporting rainfall totals of up to 5 inches in Ventura County and 3.3 inches in Santa Barbara County as of 11 a.m. Nearly 1½ inches of rain had fallen in Bel-Air, which could be susceptible to mudslides and debris flow because of damage caused by the Skirball fire last month.

The storm spared some areas that were affected by last month’s blazes. Early Tuesday afternoon, evacuation orders for neighborhoods in the burn areas of the Creek and Fish fires were lifted, according to the Los Angeles County Sheriff’s Department.

“I woke up ready this morning to laugh and scoff at all the gloom-and-doom predictions,” said Dominic Shiach, 50. “It’s actually way worse than I thought it was going to be.”

Shiach wore a Navy raincoat as he walked Archie, his 3-year-old West Highland terrier, down Sycamore Canyon Road on Tuesday morning.

Amber Anderson with the Santa Barbara Incident Management Team said there were about 75 people who called for evacuation help.

Marc Phillips realized he should have listened to emergency officials as he trudged down East Valley Road in mud-soaked jeans.

“They were right,” he said, pointing to a place where residences had been knocked from their foundations. “It looks like there was never a house there, but it was.”

Fox News

<http://www.foxnews.com/politics/2018/01/09/us-oks-selling-japan-missiles-to-shoot-down-north-korean-missiles.html>

US Oks selling Japan missiles to shoot down North Korean missiles

By: Frank Miles, 1/9/18

The Trump administration has approved a \$133.3 million missile defense sale to Japan to meet the escalating threat from North Korea — by shooting down the rogue nation's own ballistic missiles.

The State Department says Congress was notified Tuesday of the proposed sale of four missiles for the SM-3 Block IIA interceptor.

A State Department official told Fox News that, “Also included are four Mk 29 missile canisters, and other technical, engineering and logistics support services.”

The department said the sale would support the U.S. defense industry and underscore Trump’s commitment to improve the defense of allies threatened by North Korea.

The system was jointly developed by Japan and the U.S.

The missiles could be used at sea with Japan’s current Aegis-equipped destroyers and with the land-based Aegis system its Cabinet approved for purchase last month.

That’s intended to bolster Japan’s current missile defense and perhaps curry favor with President Donald Trump who is eager for U.S. allies to buy more American military hardware.

“If concluded, this proposed sale will contribute to the foreign policy and national security interests of the United States,” the State Department official told Fox News. “It will bolster the security of a major treaty ally that has been, and continues to be, a force for political stability and economic progress in the Asia-Pacific region. It will also improve (Japan Maritime Self-Defense Force’s) interoperability with U.S. missile defense systems, and increase the protection for U.S. installations in the region.”

Fox News previously reported that North Korea’s weapons “are only aimed” at America and its territories, a regime official menacingly revealed during Tuesday’s joint talks with South Korea — doubling down on Kim Jong Un’s frequent threats to destroy the United States.

CNBC

<https://www.cnbc.com/2018/01/10/china-is-reportedly-thinking-of-halting-us-treasury-purchases.html>

China is reportedly thinking of halting US Treasury purchase and that's worrying markets right now

By: Fred Imbert, 1/10/18

China, the United States' biggest buyer of sovereign bonds, could be slowing down or even halting its purchases, according to a report.

Bloomberg News reported Wednesday, citing people familiar with the matter, that officials in Beijing have recommended the Chinese government lowers — or even stops — its buying of U.S. sovereign debt.

The report also notes that Chinese officials think U.S. debt is becoming less attractive compared to other assets, adding that trade tensions between the two countries could provide a reason to slow down or halt the purchases.

The news is worrying markets.

Treasury prices fell, boosting yields. The U.S. dollar also fell vs. most currencies and gold increased.

Dow futures were down more than 110 points.

A taper in Chinese purchases would come as the Federal Reserve unwinds the massive balance sheet it amassed following the financial crisis. The Fed is also expected to raise rates three times this year. In 2017, the central bank also hiked rates three times.

The U.S. 10-year yield rose to 2.59 percent on Wednesday, hitting levels not seen since last March. The dollar also fell against a basket of major currencies, trading down 0.6 percent at 91.96.

[Click here for the full report.](#)

Wall Street Journal

<https://www.wsj.com/articles/amid-signs-of-a-thaw-in-north-korea-tensions-bubble-up-1515427541>

Amid signs of a thaw in North Korea, Tensions bubble up

By: Gerald Seib, 1/9/18

A tentative move toward diplomacy over the confrontation with North Korea has begun, though that hardly means the tension is evaporating.

In a village on their heavily militarized border, North and South Korean officials opened talks Tuesday, ostensibly over possible North Korean participation in the coming South Korean Olympics. South Korea would like the talks to expand beyond that, toward finding broader ways to lower tensions.

But as just one sign of how fraught the situation remains, simply consider this: U.S. officials are quietly debating whether it's possible to mount a limited military strike against North Korean sites without igniting an all-out war on the Korean Peninsula.

Senior officials from South and North Korea held their first formal face-to-face talks in two years on Tuesday, discussing Pyongyang's possible participation in the Winter Olympics and other issues in hopes of cooling tensions.

The idea is known as the "bloody nose" strategy: React to some nuclear or missile test with a targeted strike against a North Korean facility to bloody Pyongyang's nose and illustrate the high price the regime could pay for its behavior. The hope would be to make that point

without inciting a full-bore reprisal by North Korea.

It's an enormously risky idea, and there is a debate among Trump administration officials about whether it is feasible. North Koreans have a vast array of artillery tubes pointed across the demilitarized zone at Seoul, the capital of South Korea, with which they could inflict thousands of casualties within minutes if they choose to unleash an all-out barrage.

Now, that danger is coupled with the risk that the North Koreans could attempt to use a nuclear weapon if they choose to escalate in retaliation against even a single strike.

Such a debate reflects how tense the situation remains, even though North Korea has scaled back the pace of its provocative actions in recent weeks and opened the door to diplomacy.

Tuesday's talks marked the first high-level dialogue between the Koreas in two years. After almost a year of regular provocations from North Korean leader Kim Jong Un, they are the first real sign that a diplomatic track is possible to begin de-escalating tensions over his nuclear and missile programs.

The U.S. and South Korea agreed on Thursday to delay their planned joint military exercises. The South Koreans are hosting the Olympics in February and want a period of calm and peace on the Korean Peninsula during that period. WSJ's Gerald F. Seib explains the short-term and long-term consequences of the delay.

A key question is whether the conversation can expand beyond the Olympics to include other topics Seoul wants to discuss, notably reunification of Korean families split between North and South, and a general lowering of hostility.

Even if that happens, though, the diplomatic move needed to really start dialing back tensions would be conversations between North Korea and the U.S. That possibility seems stuck in a long-distance dance between Pyongyang and Washington, with each side making opening bids the other finds unacceptable.

North Korea wants the U.S. to forswear joint military activities with South Korea in advance of talks, while the U.S. insists the goal of talks should be to eliminate North Korea's nuclear arsenal, not merely contain it. Each side finds the other's conditions unacceptable.

Indeed, diplomats suspect North Korea's engagement with South Korea is an attempt to drive a wedge between Seoul and its American allies, thereby reducing the possibility the U.S. could take any kind of military action against Pyongyang.

Efforts are under way to broaden the diplomatic opening beyond Tuesday's intra-Korean conversation. Jonathan Powell, a former chief of staff to British Prime Minister Tony Blair, has offered to help try to get broader conversations going, three people in the diplomatic community said.

And Jeffrey Feltman, an American diplomat now serving as U.N. under secretary-general for political affairs, recently traveled to North Korea to explore diplomatic possibilities. But Mr. Feltman returned alarmed at what he found in Pyongyang, where he sensed little interest in either talks with the U.S. or moving off the North's current nuclear track, say those who have talked with him.

Within the Trump administration, officials say, Secretary of State Rex Tillerson and Defense Secretary Jim Mattis remain focused on trying to get a broader diplomatic effort under way to rein in the North Korean nuclear program. National security adviser H.R. McMaster is arguing more vocally, publicly and privately, that military options need to be considered.

The wild card, as in all things in the Trump administration, is President Donald Trump himself. He signaled his own interest in a diplomatic track in the past. But he has also seemed to disavow Mr. Tillerson's overtures on negotiations. And his recent tweet—asserting he has a "bigger" nuclear button than does Mr. Kim—is, in the words of one experienced diplomat, the equivalent of "waving a red flag before a bull."

The U.S. hasn't done the kind of logistical preparations needed for a full-blown conflict on the Korean Peninsula. Still, as the talk of a "bloody nose" option suggests, that doesn't

mean one can't happen.

Thanks to the Olympics and the intra-Korean diplomatic opening, the next few months figure to be relatively calm. But depending on whether the diplomatic opening widens or not, mid-2018 could be a time of reckoning.

<EPA Morning News Highlights 01.10.18.docx>

To: Jackson, Ryan[jackson.ryan@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]
From: Bowman, Liz
Sent: Tue 7/18/2017 3:58:06 PM
Subject: FW: Huffpost piece

FYI ...

From: Hewitt, James
Sent: Tuesday, July 18, 2017 11:47 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Huffpost piece

http://www.huffingtonpost.com/entry/scott-pruitt-ethics-probe_us_596cf43ce4b0e983c05800ed?ncid=inblnkushpmg00000009

Senator Joins Ethics Probe That Could Get EPA Chief Scott Pruitt Disbarred

The former Oklahoma attorney general is under investigation for misleading Congress about his emails.

By Alexander C. Kaufman

Environmental Protection Agency Administrator Scott Pruitt has been caught repeatedly misleading Congress about his use of different email accounts during his six years as Oklahoma's attorney general.

Pruitt's deep ties to fossil fuel industries whose pollution he's now charged with policing became a lightning rod during his confirmation process. Correspondence published by The New York Times in 2014 as part of a Pulitzer Prize-winning series showed Pruitt allowing lawyers from Devon Energy, an oil and gas company, to write a complaint to the EPA under his official letterhead. Since taking office, Pruitt has spent an unusual amount of time courting fossil fuel executives amid aggressive rollbacks of regulations

本行在2018年12月31日及2017年12月31日，均無任何尚未償還的資產負債表外承諾。本行在2018年12月31日及2017年12月31日，均無任何尚未償還的資產負債表外承諾。本行在2018年12月31日及2017年12月31日，均無任何尚未償還的資產負債表外承諾。

[illegible]

Environmental Protection Agency

Special Advisor for Public Affairs

Ex. 6 - Personal Privacy

To: Abboud, Michael[abboud.michael@epa.gov]
Cc: Hewitt, James[hewitt.james@epa.gov]; Graham, Amy[graham.amy@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Bowman, Liz
Sent: Thur 8/3/2017 12:36:16 AM
Subject: Re: FOR APPROVAL: EPA Evening News Highlights 8.2.17

Yes

Sent from my iPhone

> On Aug 2, 2017, at 8:13 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

>

> Was this good to send out?

>

> Sent from my iPhone

>

>> On Aug 2, 2017, at 4:20 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

>>

>> EPA Evening News Highlights 8.2.17

>>

>> Utility Dive: EPA Grants Petitions Against Air Quality Permits For 2 Duke Coal Plants

>> The Trump administration is busily rolling back environmental regulatory standards, but not all enforcement of Obama-era rules has stopped. On June 30, Pruitt signed two orders granting petitions against permits issued by North Carolina environmental agencies. The orders were published in the Federal Register on Wednesday.

>>

>> E&E News: Industry To EPA: We Want Rule 'Fixed, Not Just Gone'

>> Industry has delivered a clear message to the Trump administration during a series of recent closed-door meetings: Don't completely gut the Obama-era Clean Power Plan. To be sure, leading industry associations are pushing White House and U.S. EPA officials to drastically roll back the landmark climate change rule. They're advocating a new approach that still limits power plants' emissions but is narrower than the one envisioned by President Obama's team.

>> The heavy-hitting U.S. Chamber of Commerce and the National Association of Manufacturers advocated an "inside-the-fence" approach to power plant regulations during a July meeting with the Office of Management and Budget and EPA staff, they told E&E News. Critics of the Obama rule have argued that it overstepped by allowing emissions reductions "outside the fence line" of coal-fired power plants.

>>

>> Bloomberg: Refiners Argue EPA Can Cut Biofuel Quota Despite Defeat in Court

>> Refiners told the U.S. Environmental Protection Agency to cut biofuel quotas for 2018, arguing that a federal court decision against the agency shouldn't prevent it from setting targets below levels enshrined in law. The administration of President Donald Trump still has the authority to waive congressional biofuel levels to avert economic or environmental harm, refiner Valero Energy Corp. and oil industry trade groups said at an EPA hearing on the issue Tuesday in Washington. Economic harm could result, industry groups said, if refiners are forced to blend more than 10 percent ethanol into the fuel supply, a level the oil industry dubs the blend wall.

>>

>> National Evening News Highlights 8.2.17

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>> The Washington Post: Trump Signs What He Calls 'Seriously Flawed' Bill Imposing New Sanctions On Russia

>> President Trump on Wednesday signed a bill that imposes new sanctions on Russia, ending immediate hopes that he might be able to reset U.S. relations with the Kremlin as Congress overruled his opposition to the provisions' curb on his executive power. Trump's reluctant signing of the legislation came nearly a week after it was approved by an overwhelming, bipartisan majority in the Senate and after a similarly large majority in the House. The president issued two statements outlining his concerns with

the bill, which he called "seriously flawed," primarily because it limits his ability to negotiate sanctions without congressional approval.

>>

>> The New York Times: Trump Supports Bill That Would Cut Legal Immigration By Half

>> President Trump embraced legislation on Wednesday that would cut legal immigration to the United States in half within a decade by sharply curtailing the ability of American citizens and legal residents to bring family members into the country. Arguing that the United States has taken in too many low-skilled immigrants for too long, Mr. Trump invited two Republican senators to the White House to put his weight behind their bill that would judge applicants for legal residency on the basis of education, language ability and job abilities that would benefit the country.

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>> Oklahoma Evening News Highlights 8.2.17

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>> The Oklahoman: Oklahoma Lt. Gov. Lamb Leads In Fundraising In Governor's Race

>> Lt. Gov. Todd Lamb raised more than \$2 million in his bid to become the state's next governor, the most so far of the 13 candidates already in the 2018 race, their campaign reports show. Oklahoma City Mayor Mick Cornett reported raising \$181,000. Lamb and Cornett are among six Republicans seeking the state's top elected position.

>>

>> TRUMP TWEETS

>> Utility Dive

>> <http://www.utilitydive.com/news/epa-grants-petitions-against-air-quality-permits-for-2-duke-coal-plants/448446/>

>> EPA Grants Petitions Against Air Quality Permits For 2 Duke Coal Plants

>> By Gavin Bade, 8/2/17

>>

>> The Trump administration is busily rolling back environmental regulatory standards, but not all enforcement of Obama-era rules has stopped.

>>

>> On June 30, Pruitt signed two orders granting petitions against permits issued by North Carolina environmental agencies. The orders were published in the Federal Register on Wednesday.

>>

>> In their petitions, the Sierra Club asserts that air quality permits issued by the North Carolina Department of Environmental Quality (DEQ) for Roxboro and the Western North Carolina Regional Air Quality Agency (WNCRAQA) for the Asheville plant are incomplete and misdirected.

>>

>> North Carolina regulations require permits issued by state agencies to comply with the NAAQS to have specific accounting mechanisms for emissions, which the petitions argue both permits lack. And the permits, the Sierra Club says, only aim to attain the SO2 standards approved in the original NAAQS rules in 1971, not the updated standards finalized by the Obama administration in 2010.

>>

>> The difference is significant. The 2010 update tightened SO2 standards to 75 parts per billion (ppb) over a one-hour time period. The 1971 standard stood at 140 ppb over a 24-hour time period, almost double the current allowance.

>>

>> In their response to the petitions, WNCRAQA argued that because EPA is still reviewing compliance with the 2010 NAAQS standard, it cannot issue permits to comply with those updated standards. DEQ said that it has begun monitoring SO2 at the Roxboro plant to comply with the new standards.

>>

>> Those justifications aside, the EPA said the permits do not adequately explain when the 2010 standards will apply to the two coal plants and how they would be monitored. In granting the petitions, it directed the two agencies to better explain when the new standards apply in the permits and how they will be measured.

>>

>> Sierra Club staff attorney Bridget Lee said the EPA could have gone further by including more specific directions for the two state agencies on how to alter their permits. But she praised the agency for

affirming that permits for NAAQS should reflect the most recent standards, even as compliance reviews of multiple jurisdictions are active.

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>> "To EPA's credit," she said, "they do say that argument doesn't hold water and these things operate in parallel."

>>

>> EPA did not respond to requests for comment.

>>

>> Duke spokesperson Danielle Peoples said the company appreciates "EPA's caution in granting the Sierra Club's petitions," and looks forward to reviewing the revised permits from each agency.

>> "It should be noted," she wrote in an email, "that EPA did not direct either agency to open or revise Duke Energy's air permits, but directed the agencies to discuss when facility-specific SO2 emissions controls might need to be placed into a facility's permit to avoid an exceedance of the 2010 SO2 NAAQS."

>>

>> Duke has begun a three-year monitoring period for NAAQS, she said, "that will be used to confirm we can meet the 2010 standard."

>> E&E News

>> <https://www.eenews.net/stories/1060058186>

>> Industry To EPA: We Want Rule 'Fixed, Not Just Gone'

>> By Zach Coleman, 8/1/17

>>

>> Industry has delivered a clear message to the Trump administration during a series of recent closed-door meetings: Don't completely gut the Obama-era Clean Power Plan.

>>

>> To be sure, leading industry associations are pushing White House and U.S. EPA officials to drastically roll back the landmark climate change rule. They're advocating a new approach that still limits power plants' emissions but is narrower than the one envisioned by President Obama's team.

>>

>> The heavy-hitting U.S. Chamber of Commerce and the National Association of Manufacturers advocated an "inside-the-fence" approach to power plant regulations during a July meeting with the Office of Management and Budget and EPA staff, they told E&E News. Critics of the Obama rule have argued that it overstepped by allowing emissions reductions "outside the fence line" of coal-fired power plants.

>>

>> "We were trying to also lay the foundation for what we think would be an acceptable replacement rule because we want to see this rule fixed, not just gone forever," Ross Eisenberg, vice president of energy and natural resources policy with NAM, said in an interview.

>>

>> Matt Letourneau, spokesman for the Chamber's Institute for 21st Century Energy, said in an email: "It's safe to say we" pushed for inside-the-fence-line.

>>

>> In rescinding the rule, EPA chief Scott Pruitt plans to argue that the Obama administration went too far in setting carbon reduction goals by looking at what the broader power system could achieve instead of focusing solely on improvements at coal plants, an administration official told E&E News in June (Climatewire, June 12).

>>

>> The recently publicized meetings with industry hint of a nearing Trump administration decision on how and whether to regulate carbon emissions from power plants, though devising a formal rule could take several months. While OMB and EPA meet with a variety of interest and business groups affected by pending regulations, the Chamber and NAM carry considerable weight in the business community that President Trump has courted.

>>

>> The Trump administration is facing pressure from conservatives to trash EPA's endangerment finding, which gives the agency the authority to regulate greenhouse gas emissions. If the Trump administration adopts an inside-the-fence approach, it would mean those angling to challenge the endangerment finding have lost a key battle.

>>

>> The meetings came after recent reports that EPA was planning to pursue a legal strategy known as the "112 exclusion," which argued the agency couldn't regulate power plants under Section 111(d) of the Clean Air Act — as the Clean Power Plan proposed — because they were already hit with limits for mercury and air toxins under Section 112.

>>

>> Those pushing for a full Clean Power Plan repeal have acknowledged that a twin effort to scrub the endangerment finding may be necessary to ward off lawsuits that EPA wasn't doing enough to address emissions. A move to develop any carbon rules for power plants, however, would amount to an implicit admission that greenhouse gas emissions deserve curbing.

>>

>> "If they had already decided that's what they wanted to do, then there would be no reason to develop this inside-the-fence-line approach," Jeff Holmstead, a partner at Bracewell LLP and former EPA air chief under President George W. Bush, said in an interview.

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>> The White House referred E&E News to EPA, which did not return a request for comment.

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>> 'Skepticism' about axing endangerment finding

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>> EPA officials under Obama argued the electricity system required regulation as an interconnected entity, thereby achieving emissions reductions beyond power plants' physical parameters. Opponents, though, said that view was too expansive — some have argued regulations must apply to power plants themselves, while others maintain EPA lacks authority to regulate power plant carbon emissions because it already caps mercury emissions.

>>

>> Utilities have pushed for the inside-the-fence-line approach rather than a full dismantling of the Clean Power Plan because they say it provides more certainty. They argue that something like requiring on-site efficiency improvements could prevent future presidents from pursuing ever-more aggressive rules. Detractors in the environmental community note, however, that emissions reductions under this scenario would be small.

>>

>> The Edison Electric Institute, a trade group representing investor-owned utilities, declined to say what it advocated for in its July 26 meeting — for which White House energy adviser Mike Catanzaro was present — though it has in the past advocated for an inside-the-fence tactic.

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>> An industry source who wasn't present for that meeting noted Catanzaro had expressed "skepticism" about the administration's ability to overturn the endangerment finding. The source said Catanzaro was concerned about getting into endless litigation, as the administration would need to compile anthologies of climate change science that refuted greenhouse gas emissions' effects on a warming planet — a heady if not impossible task.

>>

>> That said, the industry source wasn't ready to take bets on where the administration would end up on the Clean Power Plan.

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>> "There's wide agreement among the utility industry that inside-the-fence-line would make more sense," the source said. "But there's certainly other people pushing for a different approach, including people who have sway with this White House. I'd be very cautious saying anything definitive."

>>

>> An inside-the-fence-line plan is "ultimately not enough in the long term" when it comes to restricting regulation on energy, said Tom Pyle, president of the conservative Institute for Energy Research. Pyle said in an interview that he's "not surprised" the business community is lobbying for that approach, though.

>>

>> "Obviously wherever as aggressively EPA could go is where I'd be comfortable with," said Pyle, who also ran Trump's Energy Department transition team, stating his desire to whack the endangerment finding.

>>

>> Some haven't given up hope on the Section 112 exclusion and an ultimate challenging of the endangerment finding. Myron Ebell, director of the Competitive Enterprise Institute's Center for Energy and Environment, said in an email that the White House could ask for input on both the inside-the-fence-line approach and Section 112 exclusion in the public comment portion of the rulemaking process after rescinding the Clean Power Plan.

>>

>> To environmental groups, a move to regulate inside the fence line would signal that the administration is taking policy cues from industry rather than the far right. Utilities and manufacturers, after all, were chief advocates of such a plan when the Obama administration rolled out its regulation, which sought a 32 percent reduction of power plant emissions below 2005 levels by 2030. That largely relied on shifts from coal-fired power to natural gas and renewable energy.

>>

>> "An inside-the-fence-line approach with an argument in the alternative that industry lacks authority to regulate carbon emissions under Section 111 follows the industry talking points to a T," John Walke, senior attorney and clean air director with the Natural Resources Defense Council, said in an interview.

>> Bloomberg

>> <https://www.bloomberg.com/news/articles/2017-08-01/refiners-argue-epa-can-cut-biofuel-quota-despite-defeat-in-court>

>> Refiners Argue EPA Can Cut Biofuel Quota Despite Defeat in Court

>> By Jennifer Dlouhy and Ari Natter, 8/1/17

>>

>> Refiners told the U.S. Environmental Protection Agency to cut biofuel quotas for 2018, arguing that a federal court decision against the agency shouldn't prevent it from setting targets below levels enshrined in law.

>>

>> The administration of President Donald Trump still has the authority to waive congressional biofuel levels to avert economic or environmental harm, refiner Valero Energy Corp. and oil industry trade groups said at an EPA hearing on the issue Tuesday in Washington. Economic harm could result, industry groups said, if refiners are forced to blend more than 10 percent ethanol into the fuel supply, a level the oil industry dubs the blend wall.

>>

>> "The ethanol blend wall is a real constraint on today's fuel supply system that makes the statutory volumes unattainable and limits the use of ethanol," said Frank Macchiarola, a group director at the American Petroleum Institute, which represents oil companies such as Exxon Mobil Corp.

>>

>> Nothing in a ruling by a federal court in Washington last week "clips the wings of the EPA" to set lower biofuel quotas that avoid economic harm, said Scott Segal, a Bracewell LLP lobbyist representing Valero. "Severe harm can be established on a number of fronts."

>>

>> Biofuel producers such as Poet LLC, however, argued that ruling largely handcuffs the EPA, forcing the government to require the use of 15 billion gallons of ethanol and more next generation biofuel next year and for years to come.

>>

>> The dueling opinions illustrate the challenge facing Trump and EPA Administrator Scott Pruitt as they try to fulfill political promises to help corn farmers in the Midwest, appease oil companies eager to protect market share and live within the contours of a biofuel mandate created last decade when the U.S. was hooked on imports of Mideast crude.

>>

>> In a unanimous ruling Friday, a three-judge panel sided with ethanol producers in saying the EPA was wrong to justify setting lower quotas for 2016 based on constraints in demand, such as limited infrastructure to deliver the product to consumers or the availability of higher blended fuel mixes. For years, the oil industry has argued that the congressional target in the Renewable Fuel Standard push refiners past a 10 percent blend wall for ethanol in gasoline -- the amount that can be easily blended because it is acceptable in all cars and trucks. Ethanol producers argued that was the entire point of the law.

>>

>> Most gasoline sold in the U.S. is E10, or 10 percent ethanol. Higher ethanol blends, including E15 and E85, are not available at all filling stations and not all vehicles can use them, oil industry leaders said Tuesday.

>>

>> Trump's EPA has proposed requiring the use of 15 billion gallons of conventional renewable fuels in 2018 -- the maximum allowed for that category in law -- while lowering proposed quotas for advanced alternatives that have been slow to commercialize, including cellulosic ethanol made from corn stalks and other non-edible materials. The agency is set to finalize the 2018 targets before the end of this year.

>>

>> The Side of Pessimism

>>

>> Biofuel groups complained that the reductions for advanced biofuel use will curtail growth in the market.

>>

>> "The agency has erred on the side of pessimism with regard to the potential for significant growth in cellulosic ethanol," said Bob Dinneen, head of the Renewable Fuels Association. The "spirit and intent" of the law was to "maximize the nation's use of these fuels, to drive marketplace innovation and investment in these new technologies, and to make the U.S. more energy diverse."

>>

>> Jan Koninckx, DuPont Co.'s global business director for advanced biofuels, said Trump's EPA used a flawed methodology to estimate potential cellulosic ethanol production and propose requiring 238 million gallons of it for 2018. That's down from 311 million gallons required this year.

>>

>> "EPA must revisit the process used in the current proposal for cellulosic ethanol and follow its own guidance and process used for the 2016 and 2017 cellulosic" quotas, Koninckx said.

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>> Higher advanced biofuel targets would help drive innovation and spur more production, said Pete Ricketts, the governor of Nebraska.

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>> Still, overall, EPA's "proposal is consistent with the president's statements of support for the corn ethanol industry," Ricketts said.

>> The Washington Post

>> https://www.washingtonpost.com/news/post-politics/wp/2017/08/02/trump-signs-bill-imposing-new-sanctions-on-russia-but-issues-a-statement-with-concerns/?hpid=hp_hp-top-table-main_trumprussia-1105a%3Ahomepage%2Fstory&utm_term=.0b1922766dca

>> Trump Signs What He Calls 'Seriously Flawed' Bill Imposing New Sanctions On Russia

>> By Abby Phillip, 8/2/17

>>

>> President Trump on Wednesday signed a bill that imposes new sanctions on Russia, ending immediate hopes that he might be able to reset U.S. relations with the Kremlin as Congress overruled his opposition to the provisions' curb on his executive power.

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>> Trump's reluctant signing of the legislation came nearly a week after it was approved by an overwhelming, bipartisan majority in the Senate and after a similarly large majority in the House. The president issued two statements outlining his concerns with the bill, which he called "seriously flawed," primarily because it limits his ability to negotiate sanctions without congressional approval.

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>> "By limiting the Executive's flexibility, this bill makes it harder for the United States to strike good deals for the American people, and will drive China, Russia, and North Korea much closer together," Trump said in a statement on Wednesday morning. "The Framers of our Constitution put foreign affairs in the hands of the President.

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>> "This bill will prove the wisdom of that choice," he added.

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>> The signing statement, long a controversial tool of president, expresses the president's concern with

legislation but it does nothing to halt or amend it. The president had the ability to veto it, but it would likely have been overridden by majorities in Congress.

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>> Lawmakers' solidarity in tying Trump's hands on this issue reflects a deepening concern about the administration's posture toward Russia, which critics have characterized as naive. The new Russia sanctions expand on measures taken by the Obama administration to punish the Kremlin for its alleged efforts to interfere in the 2016 election. But Trump has continued to doubt that Russia was responsible and he has called the investigations in Congress and by the special counsel into Russian meddling a "witch hunt."

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>> The administration's lobbying of lawmakers in public and private to pull back the bill's requirement that Congress review any attempt by the president to amend sanctions against Moscow ultimately fell on deaf ears. The measure imposes a 30-day review period to give Congress a chance to vote down any of the president's proposed changes to Russia sanctions before they can be implemented.

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>> Despite Trump's considerable objections, House Speaker Paul D. Ryan (R-Wis.) praised the bill becoming law.

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>> "Today, the United States sent a powerful message to our adversaries that they will be held accountable for their actions," Ryan said. "These sanctions directly target the destructive and destabilizing activities of Iran, Russia, and North Korea."

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>> "We will continue to use every instrument of American power to defend this nation and the people we serve," he added.

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>> Trump said that he signed the bill despite his reservations for the sake of "national unity." In a second statement accompanying his signing of the legislation, Trump called some of the provisions in the legislation "clearly unconstitutional."

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>> And in a pointed jab at lawmakers in his own party, he questioned Congress's ability to negotiate sanctions based on its inability to approve the Republicans' health-care legislation.

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>> "The bill remains seriously flawed — particularly because it encroaches on the executive branch's authority to negotiate," Trump said. "Congress could not even negotiate a healthcare bill after seven years of talking."

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>> According to constitutional law experts, Congress rightfully asserted its own constitutional powers to serve as a check on the executive branch, even on matters of national security.

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>> Constitutional and national security expert Michael Glennon from the Fletcher School of Law and Diplomacy said that Trump's statement was "gross misreading" of the case law he cited in his signing statement to bolster his claim that the congressional review provision had unconstitutionally robbed him of the power to negotiate.

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>> "That's obviously a misguided interpretation of his constitutional authority," Glennon said. "Congress has very broad authority over foreign commerce — it's explicitly given the power to regulate commerce with foreign nations."

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>> "It could have, if it desired, imposed those sanctions without giving the president any waiver authority whatsoever," he added.

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>> The measure also imposes sanctions against North Korea and Iran for those countries' weapons programs.

>> Russia has already retaliated against the United States for the new sanctions, announcing that it would order the U.S. Embassy to reduce its staff by 755 people and seize U.S. diplomatic properties.

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>> Trump noted that he supported tough measures to punish the three regimes, and said that he will honor the review period prescribed in the bill.

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>> But in a potential warning to lawmakers that he might not observe those parts of the law, Trump added that he would “give careful and respectful consideration” to other provisions that direct the administration to undertake diplomatic initiatives and require the administration to deny entry to the United States of certain foreign individuals, without exceptions for diplomats.

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>> “My Administration will give careful and respectful consideration to the preferences expressed by the Congress in these various provisions and will implement them in a manner consistent with the President's constitutional authority to conduct foreign relations,” Trump said.

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>> For now, Trump's desire to reset relations with Russia has hit a major speed bump at around the same time that Americans are expressing growing support for an adversarial approach toward the country, according to a survey released Wednesday by the Chicago Council on Global Affairs.

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>> The poll found 53 percent support actively working to limit Russia's power compared with 43 percent who favor friendly cooperation and engagement, a sharp reversal from last year when 58 percent favored cooperative efforts. Over 4 in 10 say Russian influence in U.S. elections represents a “critical threat” to the country.

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>> The poll finds mixed support for imposing additional sanctions, with 38 percent saying they should be increased and 41 percent saying they should be kept about the same. Far fewer, 17 percent, said the U.S. should decrease or eliminate sanctions on Russia, according to the survey of a random sample of 2,020 adults conducted June 27-July 19.

>> In addition to concerns about the review component of the bill, the administration also said it was worried about the impact of the bill on U.S. businesses in Russia.

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>> In a statement late last week, the White House signaled that Trump would eventually sign the measure, and a White House official added that the administration had worked to renegotiate critical elements of it.

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>> Yet even as Putin moved quickly to retaliate against the United States, Trump has not issued any statement — written or otherwise — on the Kremlin's actions.

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>> Trump did argue, however, that he could negotiate deals on behalf of the American people far better than Congress.

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>> “I built a truly great company worth many billions of dollars,” Trump said. “That is a big part of the reason I was elected.

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>> “As President, I can make far better deals with foreign countries than Congress,” he added.

>> The New York Times

>> <https://www.nytimes.com/2017/08/02/us/politics/trump-immigration.html>

>> Trump Supports Bill That Would Cut Legal Immigration By Half

>> By Peter Baker, 8/2/17

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>> President Trump embraced legislation on Wednesday that would cut legal immigration to the United States in half within a decade by sharply curtailing the ability of American citizens and legal residents to bring family members into the country.

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>> Arguing that the United States has taken in too many low-skilled immigrants for too long, Mr. Trump invited two Republican senators to the White House to put his weight behind their bill that would judge applicants for legal residency on the basis of education, language ability and job abilities that would benefit the country.

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>> "This competitive application process will favor applicants who can speak English, financially support themselves and their families and demonstrate skills that will contribute to our economy," Mr. Trump said.

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>> "This legislation," he added, "will not only restore our competitive edge in the 21st century, but it will restore the sacred bonds of trust between America and its citizens. This legislation demonstrates our compassion for struggling American families who deserve an immigration system that puts their needs first and that puts America first."

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>> The bill, sponsored by Senators Tom Cotton of Arkansas and David Perdue of Georgia, would reduce overall legal immigration by 41 percent in its first year and by 50 percent by its 10th year, according to projections cited by its authors. The reductions would come almost entirely from those brought in through family ties. The number of immigrants granted legal residency on the basis of job skills, about 140,000, would remain roughly the same, though a much higher proportion of the reduced overall number.

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>> The proposal revives an idea that was included in broader immigration legislation supported by President George W. Bush in 2007 but that failed in Congress. Republican supporters argued that it would modernize immigration policy that had not been updated significantly in half a century, but critics in both parties contended it would harm the economy by keeping out workers who filled low-wage jobs that Americans did not want.

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>> Under the current system, most legal immigrants are admitted to the United States based on family ties. American citizens can sponsor spouses, parents and minor children for visas that are not subject to any numerical caps, while siblings and adult children get preferences for a limited number of visas available to them. Legal permanent residents holding green cards can also sponsor spouses and children.

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>> In 2014, 64 percent of more than one million immigrants admitted with legal residency were immediate relatives of American citizens or sponsored by family members. Just 15 percent entered on the basis of employment-based preferences, according to the Migration Policy Institute, an independent research organization. But that does not mean that those who came in on family ties were necessarily low skilled or uneducated.

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>> The projections cited by the sponsors said legal immigration would decrease to 637,960 after a year and to 539,958 after a decade.

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>> The legislation would establish a system of skills points based on education, English speaking ability, high-paying job offers, age, record of achievement and entrepreneurial initiative. But while it would still allow the spouses and minor children of Americans and legal residents to come in, it would eliminate preference for other relatives, like siblings and adult children. The bill would create a renewable temporary visa for elderly parents who come for caretaking purposes.

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>> The legislation would limit refugees offered permanent residency to 50,000 a year and eliminate a diversity visa lottery that the sponsors said does not promote diversity. The senators said their bill is meant to emulate "merit-based" systems in Canada and Australia.

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>> "Our current system does not work," Mr. Perdue said. "It keeps America from being competitive."

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>> Mr. Cotton rejected the notion that the current system was a symbol of American compassion. "It's a symbol that we're not committed to working-class Americans and we need to change that," he said.

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>> But Senator Lindsey Graham, Republican of South Carolina, criticized the measure, noting that agriculture is his state's No. 1 industry and tourism is No. 2. "If this proposal were to become law, it would be devastating to our state's economy, which relies on this immigrant work force," he said.

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>> "Hotels, restaurants, golf courses and farmers," he added, "will tell you this proposal to cut legal immigration in half would put their business in peril."

>> The Oklahoman
>> <http://newsok.com/who-has-raised-the-most-so-far-in-2018-governors-race/article/5558535>
>> Oklahoma Lt. Gov. Lamb Leads In Fundraising In Governor's Race
>> By Nolan Clay, 8/2/17
>>
>> Lt. Gov. Todd Lamb raised more than \$2 million in his bid to become the state's next governor, the most so far of the 13 candidates already in the 2018 race, their campaign reports show.
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>> Oklahoma City Mayor Mick Cornett reported raising \$181,000.
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>> Lamb and Cornett are among six Republicans seeking the state's top elected position.
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>> Drew Edmondson, a former state attorney general, is the top fundraiser among the four Democrats in the race, collecting \$300,211 so far.
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>> The campaign reports — filed at the Oklahoma Ethics Commission — cover donations and expenses through June 30. The deadline to file them was Monday.
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>> Most of the candidates were filing their first reports in the race that could become the most expensive in state history.
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>> Lamb on Monday reported collecting \$1,089,273 in direct and in-kind contributions since starting his gubernatorial campaign in April. He added \$1,004,772 in June that was left over from his 2014 lieutenant governor campaign.
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>> Lamb said last month he is pleased and humbled by his strong support so far.
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>> He said Tuesday he now has well over 700 contributors to his campaign.
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>> "It's not just about raising money," he said. "It is about building the infrastructure and the campaign team that will not only help us win the election, but will be ready to rebuild and renew Oklahoma."
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>> Tulsa attorney Gary Richardson was second in fundraising among the GOP candidates. He reported raising \$185,729 through June 30, mostly from personal loans to his campaign.
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>> He also already has spent most of that money, including \$33,110 for polling, his report shows. His campaign only had \$5,757 on hand June 30, according to his report.
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>> "With the ongoing budget crisis these past months, I made a conscious decision to delay my fundraising efforts in order to focus on preventing the proposed tax increases in our state," Richardson said Tuesday.
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>> "I am confident that, between our fundraising efforts and what I will put into the campaign personally, we will have more than enough money to get our conservative message out to the people of Oklahoma and be victorious in 2018," he said.
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>> Richardson ran for governor once before — in 2002 as an independent. That time, he raised \$2.7 million, mostly from his own pocket.
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>> Cornett, who has been mayor of Oklahoma City for more than 13 years, said, "I have been amazed by the outpouring of support we have received statewide during the first few days of our campaign."
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>> Another well-known Republican, Gary Jones, had a much more modest fundraising total. Jones, the state auditor and inspector, reported collecting only \$22,585 in his bid for governor.
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>> "I've got a job to do," Jones said Tuesday. "I've been working on my job. I knew that I probably

wouldn't have as much as a lot of people."

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>> Jones said his goal is to win on Election Day "not travel around the state and spend all my time gathering up campaign contributions."

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>> "As we've seen, money doesn't always win it," he said.

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>> Two other GOP candidates, former state Rep. Dan Fisher and mortgage banker Kevin Stitt, have just begun campaign efforts and did not have to file reports yet.

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>> The Democrats

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>> Edmondson has run for governor before, too, narrowly losing in 2010 in the Democratic primary election.

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>> He said Monday his strong fundraising so far "shows that people are frustrated with our state's current leadership."

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>> "They're ready for a governor who will fight for them instead of the billion-dollar corporations that dictate business as usual at the state Capitol," he said.

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>> Second in fundraising among the Democrats was state Rep. Scott Inman, the House minority leader. He reported raising \$99,566, more than a third coming from funds left over from his last legislative race.

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>> "We've always known that we're not going to have the famous name or the big fat cats behind us but we are determined to work harder than anybody else in the race," Inman said. "We were very encouraged by the overwhelming support we received from donors all across the state."

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>> Inman, of Del City, said many of his more than 300 donors are "middle-class folks" who can only afford \$50 or so.

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>> In third was former state Sen. Connie Johnson, of Oklahoma City. She reported raising \$21,057 through June 30.

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>> In fourth was Norman Brown, a retired mechanic from Oklahoma City. He reported raising \$1,421.

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>> The Libertarians

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>> Three Libertarian candidates are in the race.

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>> Big cat breeder Joseph Maldonado, also known as Joe Exotic, reported raising \$3,012.

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>> Most of his total was a \$2,635 in-kind donation from the Greater Wynnewood Exotic Animal Park for the "purchase of T-shirts to be given away."

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>> Chris Powell, of Bethany, reported raising \$234. Rex Lawhorn, of Broken Arrow, just registered his campaign committee with the Ethics Commission in July and did not have to report any contributions yet

>> TRUMP TWEETS

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>> Michael Abboud
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Message

From: Darwin, Henry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7AE8E9D24EEB4132B25982E358EFBD9D-DARWIN, HEN]
Sent: 10/16/2017 1:08:16 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: FW: Efficient EPA Survey Results_Final REDACTED B6 (003).xlsx
Attachments: Efficient EPA Survey Results_Final REDACTED B6 (003).xlsx

These are the results we plan to release on the advice of OGC.

Henry

From: Minoli, Kevin
Sent: Thursday, October 5, 2017 6:59 PM
To: Flynn, Mike <Flynn.Mike@epa.gov>; Darwin, Henry <darwin.henry@epa.gov>; Vizian, Donna <Vizian.Donna@epa.gov>
Cc: Blake, Wendy <Blake.Wendy@epa.gov>; Walker, Denise <Walker.Denise@epa.gov>
Subject: Efficient EPA Survey Results_Final REDACTED B6 (003).xlsx

Mike, Henry, and Donna- Attached is an Excel spreadsheet that contains the survey results in redacted form. This is the version that you can post online and/or share. The contents of the spreadsheet are locked, although users can expand individual cells to read the lengthy responses. Please let me know if there are any questions about the document.

We have a pending FOIA appeal for this information and so request that you please give Wendy Blake, cc'd here, a head's up when you post it so she can inform the FOIA requestor.

Thanks, Kevin